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ABSTRACT

Since the adoption of the Professional Code in July 1973, the Quebec government has been taking a more active role in regulating what are termed "professional" activities. Two major factors account for the reform nature of the new legislation: (1) the assertion that the main function of professional corporations is the "protection of the public"; and (2) the supervision of professional corporations by l'Office des Professions du Quebec, an organization created to see that each corporation ensures the protection of the public. This study consists of four chapters covering: (1) the pressures being brought to bear on l'Office to promote the development of the professionalization of occupations in Quebec; (2) the existence of a consensus in North America on what constitutes a profession; (3) the determination of the characteristics of a professional corporation that are likely to encourage the protection of the public; and (4) a definition of the policy of l'Office regarding the development of professionalism in Quebec. (LBH)

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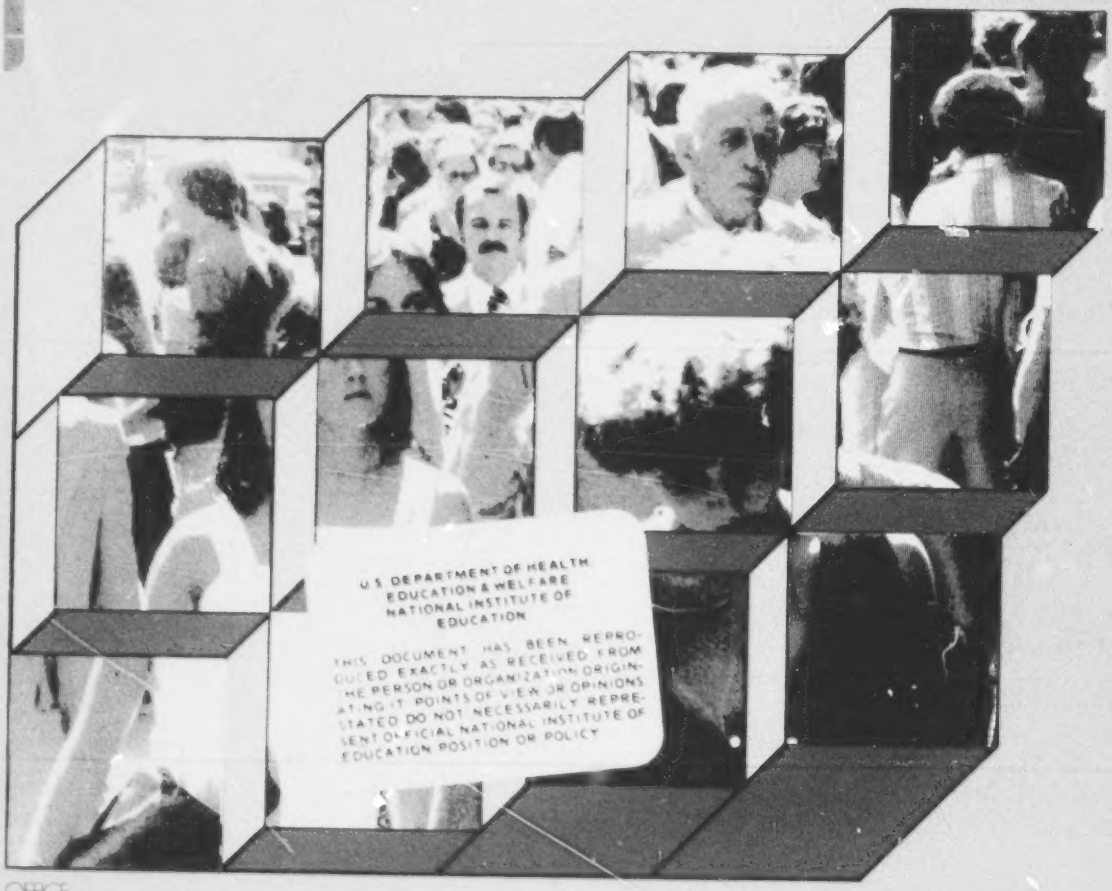

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the evolution of professionalism in Quebec

September 1976

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INTRODUCTION

Since the adoption of the *Professional Code*[1] in July, 1973, the Quebec Government has been taking a more active role in regulating what are termed "professional" activities. Before this time, its power in this field had been readily delegated to wholly autonomous corporations.

Those affected by the Code find this change in the legislative framework of the professional organization quite significant since they frequently refer to it as "the professional reform in Quebec". Two major factors account for the reform nature of the new legislation, namely: 1° the assertion that the main function of professional corporations is the "protection of the public"; 2° the supervision of professional corporations by l'Office des professions du Québec, an organization created by the National Assembly of Quebec in order to "see that each corporation ensures the protection of the public".[2]

Thus, the protection of the public, which used to be only one feature of the traditional professional organization, now becomes the primary objective of the new professionalism. This new legislation, supported by the gradual control of the economic interests of professionals by unions, attempts therefore to reduce conflicts of interest and the amount of criticism to which professional corporations have been vulnerable in the past, when they claimed to defend, simultaneously and with equal force, the interests of their members as well as those of the public.

Moreover, the creation of l'Office des professions indicates that the Government believes that, in terms of professional services as in other fields of economic or social activity, those providing services can not undertake to defend the interests of consumers or of the public at large on their own and without outside control.

The role of l'Office des professions is not confined to supervising corporations currently recognized by the *Professional Code* and to putting into practice the regulations resulting from this legislation. The Government has also delegated to l'Office des professions a double mandate; first, to propose the establishment of new professional corporations[3] and, secondly, to evaluate the usefulness of existing corporations, with recommendations for their amalgamation or dissolution.

These specific elements of the role of l'Office are of particular importance today when a number of groups are proclaiming their desire to be established as professional corporations and for this purpose are making applications to l'Office. Moreover, several professional corporations "with reserve of title" are expressing the difficulties encountered in performing their functions, difficulties which they maintain arise from the fact that they only have effective control over who may use the title and not over who may perform a specific function.

(1) Statutes of Quebec, 1973, Chapter 43.

(2) *Idem*, Section 12.

(3) The Quebec Interprofessional Council, (an organization made up of the presidents or their representatives of the 38 corporations named in the *Professional Code*), may also submit to the Lieutenant-Governor in Council and to l'Office any recommendations which it considers relevant to the establishment of professional corporations. *Idem*, Section 19 (c).

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Thus, a major problem facing l'Office is that of orientation. It has to decide to what extent it can promote the development of the professionalization of occupations in Quebec by encouraging the creation of new professional corporations and by advocating the conversion of corporations with reserve of title to corporations with exclusive right of practice. To enable it to reach a decision, l'Office believes that it must study in greater detail the question of professional corporatism with respect to the need for protecting the public and to the demands imposed by today's society.

This study consists of four chapters. The first deals with the pressures which are being brought to bear on l'Office to promote the development of the professionalization of occupations in Quebec. The second examines whether a consensus exists in North America on what constitutes a profession. The third chapter attempts to pin down those characteristics of a professional corporation which are likely to encourage the protection of the public, puts into historical perspective the development of professional corporatism and seeks to explain why this corporatism is of such interest to people who provide services. The fourth and final chapter defines the policy of l'Office regarding the development of professionalism in Quebec.

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CHAPTER ONE

L'Office des professions and its role in the development of professionalism in Quebec

Strong pressure is now being brought to bear on l'Office to promote the development of professionalization of occupations in Quebec. Various groups are seeking to have their activities professionally recognized and to be granted the status of a professional corporation. In addition, most corporations with reserve of title, supported by the Interprofessional Council of Quebec[4], are demanding that they be changed into professions with exclusive right of practice.

A — Requests for incorporation as a professional corporation

Between April 1974 and July 1976, twenty-three groups working in various sectors of the economy officially made a request to l'Office des professions du Québec to be established as professional corporations. During this same period, close to forty other groups contacted l'Office for information in this regard, and some of these groups have made it clear that they intend to make a formal request in the near future.

Table 1 lists the groups which have officially requested recognition as professional corporations, and also gives some of their characteristics. These groups are divided into four main categories according to the nature of the professional activity in question: law, management and business; engineering, planning and development; human relations; health. This broad classification makes it easier to compare groups seeking recognition with existing professional groups working in the same sector of activity. Table 2 shows the corporations currently recognized under the *Professional Code*, and these are divided according to the same categories.

(4) Resolution passed on April 30, 1976.

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Table 1
GROUPS WHICH HAVE REQUESTED TO BE ESTABLISHED AS PROFESSIONAL CORPORATIONS, BY SECTOR OF ACTIVITY[1]

	Number of members	Required level of education	Year of incorporation[2]
LAW, ADMINISTRATION AND BUSINESS			
Quebec Real Estate Association	4,239 (1975)	Undetermined	1973
Professional Association of Purchasing Agents	930 (1974)	University	1974
Quebec Guild of Commercial Accountants	96 (1974)	CEGEP[3]	1970
Institute of Accredited Public Accountants	135 (1974)	University	1946
Institute of Management Consultants of Quebec	157 (1975)	University	1966
ENGINEERING, PLANNING AND DEVELOPMENT			
Province of Quebec Association of Landscape Architects	48 (1974)	University	1965
Association of Biologists of Quebec	710 (1976)	University	1974
Professional Association of Licensed Cullers of the Province of Quebec[4]	938 (1976)	Secondary V[5]	1927
Agricultural Technologists' Association Inc.	638 (1975)	CEGEP	1964
Corporation of Professional Technicians of the Province of Quebec[4]	4,157 (1974)	CEGEP	1927
Interior Decorators' Society of Quebec[4]	272 (1975)	CEGEP	1935

1. The information in this table was compiled from the requests for professional incorporation submitted by these groups. It is to be noted that more detailed information was also obtained when the representatives of most of these groups were interviewed by the Research Department of l'Office des professions.
2. Incorporation under the 3rd part of the *Companies Act* (R.S.Q. 1964, chap. 271) or under the *Professional Syndicates Act* (R.S.Q. 1964, chap. 146). It is to be noted that several of these groups were in existence before their incorporation.
3. CEGEP — (Collège d'enseignement général et professionnel) A community college vocational or pre-university parallel studies in programs of one, two or three years duration following high school.
4. Incorporation under a particular act:
   — *Cullers Act* (S.Q. 1950, chap. 147)
   — *Act respecting Qualified Technicians* (S.Q. 1950, chap. 145)
   — *Interior Decorators Act* (S.Q. 1948, chap. 96, now R.S.Q. 1964, chap. 270)
5. Secondary V — The level of senior high school education. In the province of Quebec, this corresponds to 11 years of schooling.

Table 1 (cont.)

	Number of members	Required level of education	Year of incorporation
HUMAN RELATIONS			
Association of Psycho-educators (Exceptional Child Psychologists) of Quebec[1]	251 (1974)	University	1962
Corporation of Social Counsellors of Quebec[1]	954 (1974)	CEGEP	1964
Federation of Associations of Musical Educators of Quebec[1]	265 (1976)	University	1968
HEALTH			
Acupuncture Association of Quebec	25 (1975)	University	1972
Association of Medical Archivists of the Province of Quebec	315 (1974)	CEGEP	1960
Association of Public Health Inspectors	138 (1976)	CEGEP	1966
Association of Orthotherapists of the Province of Quebec[1]	32 (1976)	CEGEP	1975
Quebec Association of Prosthetists and Orthotists	51 (1974)	University	1967
Association of Puericulturists (Baby Nurse Technicians) of the Province of Quebec[1]	2,455 (1974)	Secondary[2]	1949
The Quebec Corporation of Inhalation Therapy Technicians	614 (1975)	CEGEP	1969
The Order of Naturopaths of Quebec	34 (1975)	University	1974
OTHER			
Translators' Society of Quebec	830 (1974)	University	1943
Total membership of groups which have requested to be established as professional corporations.	18,284		

1. English interpretation of the official French title only.
2. Secondary — high school education.

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Table 2
PROFESSIONAL CORPORATIONS RECOGNIZED UNDER THE *PROFESSIONAL CODE*, BY SECTOR OF ACTIVITY

	Member-ship 31-03-75	Required level of education	Year of pro-fessional in-corporation	Legal Status
LAW, ADMINISTRATION AND BUSINESS				
Chartered Administrators	1,095	University	1967	reserve of title
Lawyers	5,201	University	1849	exclusive practice
Chartered Accountants	6,636	University	1880	exclusive practice
Registered Industrial Accountants	1,161	CEGEP	1941	reserve of title
Certified General Accountants	1,523	CEGEP	1946	reserve of title
Industrial Relations Counsellors	353	University	1963	reserve of title
Notaries	1,585	University	1847	exclusive practice
ENGINEERING, PLANNING AND DEVELOPMENT				
Agrologists	1,526	University	1942	exclusive practice
Architects	1,238	University	1891	exclusive practice
Land-Surveyors	549	University	1882	exclusive practice
Chemists	761	University	1963	exclusive practice
Chartered Appraisers	875[1]	University	1969	reserve of title
Engineers	17,171	University	1898	exclusive practice
Forestry Engineers	850	University	1921	exclusive practice
Town Planners	149	University	1963	reserve of title

1. Membership in 1974.

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Table 2 (cont.)

	Member-ship 31-03-75	Required level of education	Year of pro-fessional in-corporation	Legal Status
HUMAN RELATIONS				
Vocational Guidance Counsellors	1,031	University	1963	reserve of title
Psychologists	1,366	University	1962	reserve of title
Social Workers	1,600[1]	University	1960	reserve of title
HEALTH				
Hearing-Aid Acousticians	110	To be determined	1973	exclusive practice
Chiropractors	394	To be determined	1973	exclusive practice
Dentists	1,881	University	1869	exclusive practice
Denturologists	403	CEGEP	1973	exclusive practice
Dieticians	723	University	1955	reserve of title
Occupational Therapists	291	University	1973	reserve of title
Dental Hygienists	44[2]	CEGEP	1973	reserve of title
Nurses	44,482[3]	CEGEP	1920	exclusive practice
Nursing Assistants	12,723	Secondary	1973	reserve of title

1. Membership in 1974.
2. Membership of 111 as of March 31, 1976.
3. Membership in 1974, including non-active members.

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Table 2 (cont.)

	Member-ship 31-03-75	Required level of education	Year of pro-fessional in-corporation	Legal Status
HEALTH (cont.)				
Physicians	10,342	University	1847	exclusive practice
Veterinary Surgeons	680	University	1902	exclusive practice
Dispensing Opticians	292	CEGEP	1940	exclusive practice
Optometrists	597	University	1906	exclusive practice
Speech Therapists and Audiologists	185	University	1964	reserve of title
Pharmacists	2,423	University	1870	exclusive practice
Physiotherapists	821	University	1973	reserve of title
Podiatrists	68[1]	To be determined	1973	exclusive practice
Dental Technicians	599[2]	CEGEP	1944	reserve of title
Radiology Technicians	2,348	CEGEP	1961	exclusive practice
Medical Technologists	1,370	CEGEP	1973	reserve of title
Total membership of 38 professional corporations:	125,446			

1. Membership of 144 as of March 31, 1976
2. Membership for the month of December, 1973. Membership of 183 as of June 30, 1976. This decrease is due to the fact that a large number of dental technicians chose to become members of the Order of Denturologists.

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As illustrated by these tables, the professional sector is composed of widely differing organizations, both amongst existing corporations and among groups seeking recognition under the *Professional Code*. In both cases, the number of members is seen to vary from one extreme to the other: e.g. according to Table 1, the Quebec Real Estate Association has 4,239 members whereas the Acupuncture Association has a membership of 25; according to Table 2, the Order of Nurses has more than 44,000 members as opposed to the Professional Corporation of Dental Hygienists which only has 44 members.

The length of time these various organizations have been in existence also varies considerably, although in general, the groups seeking recognition were created more recently than the already established professional corporations. More members of professional groups have received a university education than those of groups seeking recognition, but this difference is gradually disappearing: of the 9 corporations recognized under the *Professional Code* in 1973, only 2 expressly insist on university education, 3 require CEGEP education and 1, secondary education, whereas the remaining 3 have not yet specified their requirements in this regard.

Moreover, the members of the organizations listed in these tables offer a wide range of services, to individuals — in the fields of health and human relations — and to companies and institutions — in the fields of law, management and business and also in engineering, planning and development. Lastly, some of the corporations and groups mentioned in the tables are primarily composed of people employed by companies, organizations or institutions, e.g. exceptional child psychologists (psycho-éducateurs), agrologists, nurses, etc., while other groups are mainly composed of persons self-employed or employed by persons who are self-employed, e.g. lawyers, management consultants, dentists, notaries, etc.

This great variety in professional occupations makes it difficult to identify what prompts so many groups to seek formal recognition as professional corporations and also to compare these groups with existing corporations. Hurried decisions regarding guidelines for the constitution of professional corporations would thus be hazardous. Nevertheless, Section 25 of the *Professional Code* enumerates all the factors by which l'Office should be guided in its assessment of requests for incorporation as professional corporations. This Section reads as follows:

> To determine if a professional corporation should or should not be incorporated, account shall be taken particularly of the following factors:
>
> 1° the knowledge required to engage in the activities of the persons who would be governed by the corporation which it is proposed to incorporate;
>
> 2° the degree of independence enjoyed by the persons who would be members of the corporation in engaging in the activities concerned, and the difficulty which persons not having the same training and qualifications would have in assessing those activities;
>
> 3° the personal nature of the relationships between such persons and those having recourse to their services, by reason of the special trust which the latter must place in them, particularly because such persons provide them with care or administer their property;

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4° the gravity of the prejudice or damage which might be sustained by those who have recourse to the services of such persons because their competence or integrity was not supervised by the corporation;

5° the confidential nature of the information which such persons are called upon to have in practising their profession.

These factors indicate, in general terms, some aspects of professional occupations and correspond to the widely-held concept regarding the relationship between professionals and their clients. They remain vague, however, for want of an operative definition of the terms: "knowledge required", "degree of independence", "difficulty ... in assessing", "personal nature of the relationships", "gravity of the prejudice" and "confidential nature of the information". Indeed, it is difficult to say on what grounds the gravity of the prejudice and the degree of independence can be said to be sufficient in one case but not in another; or that the nature of the relationship is sufficiently personal and the nature of the information sufficiently confidential to justify recognition under the *Professional Code*.

In fact, the *Professional Code* does not define the boundary nor the point at which a specific occupation is "professional" enough so that the people practising it may form a corporation. In light of the more or less restrictive definition of these characteristics, it may be wondered why certain existing corporations were established or, conversely, it may lead to a considerable increase in the number of professional corporations.

Accordingly, l'Office des professions believes that an individual appraisal of requests for professional incorporation, based solely on the factors mentioned in Section 25 of the *Professional Code*, would make it difficult for l'Office to reach a decision which is consistent with the objectives of the new professional legislation. Such a procedure would entail a risk of serious error since what is known about the professional phenomenon and its effects on Quebec society is still vague. At first glance, existing professional corporations do not have enough characteristics in common for a clear picture to be obtained of the occupations which call for the professional incorporation of those engaged in these activities, as a measure of protecting the public.

No applied study has been undertaken in Quebec on the organization of professions as autonomous corporations nor has an evaluation been made of the effects of such a procedure with regard to the protection of the public. Little information is available on the activity of professional corporations[5], and any studies on the subject focus more on general principles than on scientifically observed facts. Nevertheless, more detailed and concrete knowledge of the conditions which may promote or harm the effectiveness of professional corporatism would greatly assist l'Office in assessing the advisability of extending this kind of control to other activities.

(5) See "The professions and Society", in the Report of the Commission of Enquiry on Health and Social Welfare, Vol. VII, 1, Quebec, 1970 as well as Appendix 12 of this report, "L'organisation et la réglementation des professions de la santé et du bien-être au Québec", prepared by Me Claude-Armand Sheppard.

B — The choice between exclusive right of practice and reserve of title

Twenty-one professional corporations, of which four were incorporated in 1973[6], were granted exclusive right of practice by the National Assembly of Quebec, giving the members of these corporations an exclusive right to a title and a monopoly over a field of activity. This mechanism, if necessary, allows for the removal of incompetent persons who may cause serious harm to the public. However, this mechanism does give rise to a number of difficulties: it requires that the activity in question be defined and delineated with great accuracy; it separates the various specialities of a given sector; and finally, it gives complete control of the market to the professionals involved and to them only, which can lead to an increase in the cost of services.

Due to these difficulties, the *Professional Code*, in Section 26, indicates some restrictions to granting a field of exclusive right of practice:

> The members of a corporation shall not be granted the exclusive right to practise a profession except by an act: that right must not be granted except in cases where the acts done by these persons are of such a nature and the freedom to act they have by reason of the nature of their ordinary working conditions are such that for the protection of the public they cannot be done by persons not having the training and qualifications required to be members of the corporation.

As can be seen from this Section, the framework within which a profession is normally practised is henceforth to be considered the determining factor in granting the exclusive right of practice. Indeed, according to this Section, it seems that the Government recognizes the possibility of a specific professional activity being reserved for members of a corporation only when the activity is such that the relationship with the public is of a strictly personal nature and when no third party is called upon to witness the quality of the services rendered; in short, when the professional enjoys great independence of practice.

On the other hand, it seems, moreover, that the Government believes the reserve of title to be adequate to ensure the protection of the public in the case of an activity where professionals "work almost exclusively in a structured environment, with control mechanisms contained within this structured environment, with recruiting procedures, with standards being set and approved by organizations, etc."[7].

The reserve of title which was accorded by the National Assembly to 17 professional corporations, 5 of which were incorporated in 1973[8], is a less powerful and less radical mechanism than the exclusive right to practise since it does not confer sole right to a field of practice, only to the use of a professional title. Indeed, in a particular area of activity, it does not allow incompetent people to be removed; it merely identifies, for the benefit of the public, the people in this sector who offer guarantees of competence.

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(6) Chiropractors, denturologists, hearing-aid acousticians and podiatrists.

(7) *Journal of Debates* (Quebec), Standing Committee on Professional Corporations, June 7, 1973, No 78, p. B-2791, statement made by the Minister of Social Affairs.

(8) Dental hygienists, medical technologists, nursing assistants, occupational therapists and physiotherapists.

However, this mechanism does have the advantages of not granting monopoly of practice to a specific group and of not separating related specialties; it also allows for greater competition between various groups providing the same service. Yet it is evident that the membership rate of qualified people in what are called corporations "with reserve of title", and the control which the latter may exercise over their members varies according to the value of a particular professional title on the job market.

At present, a number of corporations with reserve of title are very much concerned about the difficulties of recruiting members. These corporations also state that they are afraid to exercise very strict disciplinary control over their members because of the possibility that the latter will leave the corporation while continuing to practise their profession. Finally, the corporations stress the fact that professional titles are frequently assumed by non-qualified people and that this is more difficult to stop than is the illegal practice of closed professions. As a matter of fact, some corporations with reserve of title believe that they are in a very precarious position and they are requesting to be changed into corporations with exclusive right to practise, claiming this to be the only solution to their problems.

If l'Office were to accept this point of view, then it would have to examine the case of each of the seventeen existing corporations with reserve of title and recommend either that they be made corporations with exclusive right to practise or that they be dissolved. In many of the cases, it is almost impossible to define the limits of the particular fields of practice in a precise enough manner to avoid placing a considerable number of persons needlessly in an illegal position. Similarly, when evaluating present or future requests from groups seeking recognition as professional corporations, l'Office would have to choose, for the same reasons, whether to incorporate them as professions with exclusive right to practise or not to incorporate them at all.

Guidelines of varying strictness for incorporating professional corporations may thus be established depending on whether the reserved title mechanism is retained or discarded. Thus, any attempt to establish such guidelines cannot be separated from a study of the effectiveness of the reserved title, which would consist of a comparison between the results of the application of this mechanism and that of exclusive right to practise with regard to the protection of the public.

Before tackling this question, however, it is essential to discover whether there exists a precise definition of the concept of a profession by which professions could be distinguished from other occupations, so that decisions could be made easily on requests for establishment as professional corporations.

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CHAPTER TWO

What is a profession?

Today, as in the past, the term "profession" still gives rise to a great deal of confusion due to the variety of admissible interpretations found as much in colloquial conversation as in specialized literature. Numerous attempts have been made to define this concept satisfactorily. The literature devoted to this area abounds in studies characterized by the desire to add some nuance or new factor intended to improve on the already accumulated definitions. Despite the undeniable quality of many of these works, not a single one has succeeded in eliminating all the ambiguities surrounding the words "profession" and "professional"[9].

A — The concept of a profession

The word "profession" in the French language is not confined to one particular kind of occupation which is the source of earned income, but is used to describe any "specific occupation from which one may earn a livelihood"[10]. It may be used for a trade (electrician or carpenter), for an office (minister of religion or member of the National Assembly) or for what is termed a liberal profession (lawyer or physician).

This definition, however, hardly corresponds to the Quebec use of the word where, influenced by the English meaning of profession, it is generally used to describe occupations which have a certain prestige because of their intellectual nature or because of the high social standing enjoyed by those who practise them: to call a particular occupation a profession, therefore, is tantamount to according it a certain dignity.

The prestige attached to the concept of profession in North America prompts many groups on this continent to try and obtain social, or even legal recognition of the "professional" nature of their work. Thus, in the latter instance, the word "profession" refers to occupations which are clearly identified by legislation. However, occupations recognized in this way vary from province to province, and from government to government. They also vary according to the times. The concept of profession, therefore, retains its imprecise meaning[11].

(9) See Appendix 1: Selective bibliography of major research on the professions.

(10) *Le Robert* dictionary, Paris, 1973.

(11) In this chapter, the word "profession" refers as much to professions in the currant North American sense as to professions legally established as professional corporations.

The derivative "professional" also causes confusion. In addition to meaning the opposite of "amateur" — a professional athlete, an amateur athlete — in Quebec, influenced by the English use of the term professional, it generally refers to a person practising a socially or legally recognized profession. Thus the word is used to add a certain prestige even when it applies to an activity which is professional only in the French sense of the word. This is seen in such case as "professional dry cleaner", "professional hair stylist", etc., as though someone who called himself simply "dry cleaner" or "hair stylist" was in some way less "professional".

In short, the concept of profession, used with a view to increasing the prestige of certain occupations, now has such an extensive application that it is commonly heard that the entire labour force is becoming professionalized. The concepts of profession, of work specialization and of a skilled labour force have thus become confused, and this confusion is encouraging a large number of working people to try and obtain some of the prestige and social standing attributed to certain professions, by calling themselves in turn "professionals". If this development were to run its full course, the concept of profession could simultaneously lose its prestigious quality as well as its discriminatory nature, and become a general descriptive term for all occupations, thus giving it the same meaning as in the french use.

From this study of the way the words "profession" and "professional" are used in North America, the theory may be advanced that the concept of profession corresponds less to a specific way of earning a living than to the aspirations of certain groups for social recognition. Nevertheless, it is important to verify whether this theory is contradicted by the specialized works written on the distinctive attributes of a profession. Indeed, if some precise attributes can be identified, which are peculiar to the professions, which are relatively stable over a period of time and which are shared by all the professions, then this theory may be rejected.

B — The search to distinguish between professions and other occupations

After studying a large number of works devoted to the distinctive attributes of a profession, it becomes clear that it is difficult to associate any specific attributes to the concept of a profession. Indeed, analyzing these works reveals that there is no consensus amongst the authors as to which elements should be considered the distinctive attributes of a profession. Such an analysis also reveals that, no matter which attribute is selected, it is extremely difficult to define it.

Nevertheless, despite the very different views expressed, l'Office believes a close examination must be made of the attributes most likely to be associated with the concept of a profession, to see whether a definition of this concept can be formulated which will help to distinguish professional activities from other activities.

These attributes may be grouped under seven general headings: 1° knowledge and skills required, 2° nature of the professional activity, 3° quality of the relationship between the professional and his client, 4° autonomy of the professional, 5° primary orientation to public interest, 6° self-administration of the group, and 7° social approval and legal ratification.

Of the attributes grouped under these headings, l'Office believes that a distinction must be made between those that are "integral" to the professional occupation and those which are "derivative". In the opinion of l'Office, only those attributes shown under the first four headings can be considered as the basic reasons for the existence of a profession since they refer to the actual practice of the professional activity. As for the attributes listed under the other three headings, namely, primary orientation to public interest, self-administration of the group, and social approval and legal ratification, these may be considered contingent on the existence of a profession, since they do not result from the practice of a professional activity but rather from the mode of organization of those engaged in it.

It is therefore essential not to confuse cause and effect; for example, the creation of a code of ethics by a group of workers should not be considered as irrefutable proof of its orientation to public interest, nor of the "professional" nature of the activity practised by its members, nor should it be taken as justification for granting it the status of a professional corporation. In the same way, the fact that a group is self-regulating or that its members enjoy social approval cannot be regarded as proof of the "professional" nature of the occupation in which they are engaged, nor does it explain how one occupation can be distinguished from another which is considered a non-professional activity.

Consequently, l'Office does not believe that studying the derivative attributes of a profession is relevant. In the following pages, it presents instead a synopsis[12] of the different concepts pertaining to the integral attributes of a profession, these being the sole criteria by which professions may be distinguished from other means of earning a living.

Thus, for example, the different concepts of knowledge considered as one aspect of professionalism — whether it is a matter of theoretical or applied knowledge, of general or specialized education, etc. — appear in the category "knowledge and skills required". Occupations providing services whose quality cannot be judged by the client, and which can be extremely harmful to him if not properly performed, are discussed under the heading "nature of the professional activity", etc.

1. ATTRIBUTES RELATING TO KNOWLEDGE AND SKILLS REQUIRED TO PRACTISE A PROFESSION

One of the best known characteristics of a professional activity is that it demands that specialized knowledge be acquired. This general statement, nevertheless, includes many different interpretations regarding the nature of the knowledge required. Some authors stress the intellectual dimension of the knowledge acquired as opposed to technical skill alone. Others, on the contrary, emphasize the fact that this knowledge is of a kind to be applied in a concrete way. The esoteric aspect of the knowledge

(12) This synopsis is based mainly on the following authors who are listed, amongst others, in the bibliography in Appendix 1: Jackson (1970), Maurice (1970), Moore (1970), Pavalko (1972), Freidson (1973). L'Office does not claim to do justice to each of these authors' works, nor to express all the nuances contained therein. It rather seeks to summarize, using the syntheses made by these authors, the various schools of thought about what differentiates a professional from a non-professional activity.

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acquired, the length of time needed for education or training and the existence of a system or body of knowledge based on abstract propositions, are continually being pointed out"[13]

This knowledge, which is so difficult to define, may be scientific in nature (medicine), normative (law) or ritual (religion); in each case, it forms the basis for recognizing a professional activity. In fact, acquiring specialized knowledge through prolonged education is what the public considers the primary attribute of a profession.

In a civilization where the development of knowledge and technology is highly regarded, it is to be expected that a privileged status be given to those who possess this knowledge. In the same vein, it is understandable why a professional status is the increasingly natural outcome of a university education. By the same token, it explains why associations which want to see their professional activities given a similar status to that enjoyed by medicine and law, tend to raise their academic requirements for entering the profession and to look upon a university degree as evidence of a certain educational status. In the professionalization movement which has characterized North America since the beginning of the century, the level of education obtained is still the most obvious and widely-recognized criterion.

But industrial and technological developments, together with their corollaries — increased education of the population, greater work specialization, etc. — have considerably raised the average level of education of working people. Today, it is as essential to have had an intensive education and specialized training to practise many activities as it is to practise a socially or legally recognized profession. One only has to think, for example, of the activities performed by teachers, policemen and airline pilots. This fact entails three important consequences:

- — a rapid increase, not only in the number of professions, but also in the number of groups seeking professional status;
- — the level of education received is losing its value as an indicator by which professions may be distinguished from other occupations;
- — the prestige attached to the professional status has lessened due to the increasing number of socially or legally recognized professions, and the increasing number of activities which allow specific groups to claim an equivalent social status on the grounds of the knowledge and skills required to engage in their activities.

For these reasons, it is becoming more and more difficult to distinguish between the specialized knowledge needed to practise a profession from that needed in other areas of work: the terms "intellectual knowledge", "theoretical body of specialized knowledge", "general applied knowledge", "esoteric aspect of knowledge" can now refer to a great many activities.

(13) Of the many authors who deal with the acquiring of specialized knowledge as a characteristic of professions, are BARBER, B. "Some Problems in the Sociology of Profession", *Daedalus*, 1963; COGAN, L., "Toward a Definition of Profession", *Harvard Educational Review*, 1953; MOORE, W. E., *The Professions: Roles and Rules*, 1970; TURNER, C. and HODGE, M. N., "Occupations and Professions" in *Professions and Professionalization*, edited by J. A. Jackson, 1970.

This important historical dimension of the concept of a profession has never been defined in the past in such a way as to offer a firm guideline for recognizing a profession. The present rate of development of knowledge and tasks leads one to believe that it will be even more difficult to resort to it in the future.

2. ATTRIBUTES RELATING TO THE NATURE OF THE ACTIVITY PERFORMED

It is readily admitted in most of the specialized literature on the professions that a professional activity is one of service[14]. Yet even this definition is ambiguous and, though frequently used, there is still no agreement as to its exact meaning.

In all societies, services fall into the third sector of the economy, namely, that which is in no way involved with developing natural resources or the processing of raw materials into finished products. Thousands of positions in trade, teaching, public service, etc., are in this sector of the economy. This definition of services has been universally recognized and successfully used for many years in compiling and analyzing statistics on economic matters, but it is of no help in differentiating a profession from any other service activity.

In order to determine the professional nature of certain services, several studies attempt to give a precise definition of the very concept of service. This method of approaching the problem appears questionable. Indeed, if it is a matter of defining the concept of a profession by means of the concept of service, it is not acceptable that the concept of service be modified to adapt it to a preconceived idea of the concept of a profession. Moreover, even the results obtained by this method vary greatly.

Thus, if this approach is used, the concept of service would not only exclude the production of goods but also their sale. However, helping a consumer to choose between different items or different kinds of the same item, could be considered a service.

Though in principle it is easy to set the concept of service against that of trade, there is only a slight distinction between a commercial activity which is limited to selling a product and one where the salesman must also act as adviser to the buyer: hearing-aid acoustician, optometrist, pharmacist, etc. Various occupations traditionally recognized as being of a strictly commercial nature are now trying to move in this direction: the brokerage trade, insurance and, more recently, automobile vending are fields in which some commercial representatives do in fact think of themselves as advisers as well as salesmen.

The literature studied also stresses two other characteristics of a professional occupation:

- a professional activity is one which the client of the professional cannot himself perform, nor can he assess the quality of its performance;
- a professional activity is one which may cause considerable harm to a client if it is badly performed.

(14) On this subject, see ELLIOT, Philip, *The Sociology of the Professions*, 1972, p. 94; GOODE, W. J., "The Theoretical Limits of Professionalization" in *The Semi-Professions and their Organization*, edited by Amitai Etzioni, 1969; HALL, R. H., "Professionalization and Bureaucratization", *American Sociological Review*, 1968; MOORE, W. E., *The Professions: Roles and Rules*, 1970.

A fairly accurate summary is obtained of what is to be found in the specialized literature regarding the nature of a professional activity, if one adds to the above criteria, the fact that a professional, even when he is selling a product, is also selling his services in the form of work units (professional acts) or time units (hourly rates).

However, these characteristics are not confined to the recognized professions. As a result of recent technological developments, a number of specialized activities, such as those performed by air traffic controllers, automobile mechanics and elevator technicians, have become just as difficult to practise as they are to assess, and may certainly entail grave consequences for potential clients or society at large.

Thus, the attributes associated with the nature of the activity performed do not provide a definition of the concept of a profession whereby, after close examination, it can be categorically stated that a particular activity can or cannot be considered as professional. In order to obtain an operative definition, the following would have to be defined:

- the factors which, in the case of a commercial activity, allow it to be stated that the sale of a product is secondary to the evaluation made by the salesman of the quality and applicability of the product to his client;
- the conditions which make it difficult for a client to assess the quality of performance of a particular activity;
- the point at which harm suffered by the client, due to the improper performance of a given activity, is judged to be considerable.

The specialized literature which is presently available remains silent on these points.

3. ATTRIBUTES RELATING TO THE QUALITY OF THE RELATIONSHIP BETWEEN THE PROFESSIONAL AND HIS CLIENT

Again, the accumulated works provide, at best, a description of the typical relationship between the professional and his client. This relationship which is generally influenced by the personal and privileged nature of the information given to the professional by the client, may be described as follows:

a) what is discussed by the professional and his client is held to be confidential, and may not be divulged by the professional;

b) there is no exchange of scientific or technical knowledge between the professional and the client, the professional alone possessing the knowledge suited to meet his client's needs;

c) the professional's decisions apply solely to the client consulting him and only to the actual situation of that client. These decisions cannot be applied to a group or larger category of clients;

d) the decisions taken by a professional are not subject to control by an external authority. The professional has sole responsibility for his decisions.

This typical relationship between the professional and his client is largely influenced by the medical profession: a patient gives a physician confidential information about his health, and it is the physician alone who has the knowledge to cure him and decide on the form of treatment which is suitable only for that person at that particular stage of his illness. But in most professions, the professional-client relationship does not have all the characteristics of this typical relationship.

This description of a typical professional relationship does not therefore help in distinguishing socially or legally recognized professions from other occupations. Must the professional's client be an individual, or can the client be a company, an organization or an institution? Does the traditional idea of a private conversation between an ill-informed client and an all-powerful professional correspond to present conditions of professional practice?[15]. What is the information which must be considered confidential, depending on whether the client is an individual or a company?

When a professional is a salaried employee of a company, organization or institution, he does not necessarily have sole responsibility for his decisions nor sole possession of confidential information relating to his activities even if it was only because he frequently works as part of a team or because he reports to an employer. What therefore differentiates the relationship between a professional and his employer from that between the employer and any other of his employees who are classified as non-professionals?

This last question raises another delicate topic, that of professional autonomy.

4. ATTRIBUTES RELATING TO PROFESSIONAL AUTONOMY

In its purest form, professional autonomy corresponds to what a practitioner enjoys in private practice, where the professional is independent and not subject to any hierarchical control. He alone is responsible for his decisions. This concept of professional independence has been drastically shaken by the increasing number of salaried professionals found even in the traditionally liberal professions, and by the emergence of professions practised for the most part by people employed by companies, organizations or institutions.

Private practice has been replaced as an indicator of professional autonomy by the condition of being independent in carrying out one's tasks[16]. Although the nature of autonomy in performing one's tasks is difficult to define in precise terms, it can be considered valid when taking into account how difficult it is for a layman to assess the quality of performance of some specialized activities. The situation is further complicated, however, when salaried members of the same profession work in a group supervised by one of their own colleagues.

(15) This traditional concept of the professional-client relationship is being increasingly challenged. See REEDER, L. G., "The Patient-Client as a Consumer: Some observations on the Changing Professional-Client Relationship", *Journal of Health and Social Behavior*, 1972.

(16) In this regard, see BENSON, J. K., "The Analysis of Bureaucratic-Professional Conflict: Functional versus Dialectical Approaches", *Sociological Quarterly*, 1973; ENGEL, G. V., "Professional Autonomy and Bureaucratic Organization", *Administrative Science Quarterly*, 1970.

In short, though the complete independence enjoyed by the private practitioner is still an easily identifiable characteristic of a particular activity, it no longer applies to all professions nor even to all the members of a specific profession. Consequently, this traditional attribute of a profession is no longer a determining factor. But the concept of autonomy, which has replaced it, is more confusing: at what point can salaried professionals be considered independent in carrying out their tasks? The various authors studied did not reach a conclusion in this regard.

C — The impossibility of distinguishing between professions and other occupations

A study of the numerous specialized works on the distinctive attributes of professions reveals the following:

- the most recent studies have not added to the ideas expressed in the older works. Flexner[17], Carr-Saunders and Wilson[18] were the first to try and differentiate professions amongst other occupations, and the many authors who have since written on this subject have used general, analogous attributes but have not succeeded in defining them with the desired preciseness;
- these general attributes illustrate some peculiarities of the liberal professions at the level which medicine and law used to enjoy exclusively and which still remain the archetypes of professional activity, notwithstanding the fact that the conditions of practising professional activities have changed significantly in these areas as in others;
- the distinction between a profession and any other occupation seems to be one of degree and not of kind[19]. All the authors studied admit that most occupations possess, to some degree, one or more of the attributes recognized as "professional". The combination of several of these attributes to a "significant" degree would therefore separate professional from non-professional activities;
- however, disagreement and even confusion still surround the conditions regarding the combination and balance of these attributes, when it comes to deciding whether or not an activity can be termed professional. Although the authors mention the same general attributes, each of them defends a particular combination of attributes as being the most important; and each favours some attributes while neglecting others.

An original study by T. J. Johnson[20] further emphasizes this confusion. Johnson recently carried out a review of the works of twenty-one authors who attempted to define the essential attributes of professions. By adding together the few attributes retained in each study — between three and six per author — Johnson came up with a total of twenty-three different characteristics likely to distinguish professions from other

(17) "Is Social Work a Profession", *School and Society*, 1915.
(18) *The Professions*, 1933.
(19) PAVALKO, Ronald M., *Sociology of Occupations and Professions*, 1971.
(20) *Professions and Power*, 1972.

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occupations. But not one of the twenty-three characteristics was consistently found in each study. Johnson even failed to find two studies which agreed on the same combination of attributes. Thus, there does not seem to be any logical method for determining the relative importance of each attribute, still less so for establishing a combination of attributes which would characterize all the professions and only the professions.

In this context, some analysts such as Howard S. Becker[21] adopt a very realistic attitude: they define professions as being occupations which have been fortunate enough to obtain and keep the title of profession. In their opinion, it is useless to try and determine the characteristics of a true profession. There are simply some occupations which are recognized as professions and others which are not.

These many different views illustrate the difficulties facing any theoretical attempt to distinguish in absolute terms between professions and other occupations. Indeed, the lack of a consensus on what these distinctive attributes are and on how to identify them makes it very difficult to formulate a definition of the concept of profession by means of which, once and for all, occupations could be divided into two groups, one of which would be considered professional and the other not. The concept of profession, when used to differentiate some occupations from others, is not precise enough to be defined "per se". It covers the most diverse realities ranging from one society to another and from one era to another.

(21) "The Nature of a Profession", in *Education for the Professions*, edited by N. B. Henry, 1962, p. 35.

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CHAPTER THREE

Professional corporations and their activities related to the protection of the public

Since it is impossible to identify the attributes which are peculiar to the professions and to give them an unequivocal definition which would have pinned down the general factors set out in Section 25 of the *Professional Code*, l'Office would have liked to base its policy regarding the establishment of new professional corporations on the need to protect the public, in the area of professional services.

However, a detailed study of the concept of "protection of the public" reveals that this is as vague and subjective as the concept of "profession", and a consensus on the subject is equally unlikely. Indeed, requests for official recognition as professional corporations which have been received to date by l'Office serve to confirm this view, since they are all based on the necessity of protecting the public in a specific area of activity.

How can this need be evaluated in each and every case? How can the public which needs protection be identified? Does it only refer to clients or individual consumers of professional services or does it also include the public or private company which uses these professional services or which employs professionals? Does the concept of "public" apply to society at large? If it does, then what does the word "protection" mean in this context, and what are the dangers against which society must be protected?

The difficulty of formulating a precise definition of the protection of the public, which is neither too broad nor too narrow, is obvious. On the one hand, a definition which would include each and every need for protecting society would call for most occupations to be controlled by professional corporations, since all occupations in their own way seek to improve the collective welfare, and entail a certain risk in performance. In addition to being difficult to apply and, consequently, ineffective, such a system of control would provoke serious questions as to the kind of society it would create.

On the other hand, a more restrictive definition of the protection of the public, based on the protection of individual consumers of professional services, would mean that some existing professional corporations, whose members have mainly institutions or companies as their clients, would no longer in theory be concerned with protecting the public.

Under these conditions, l'Office does not see how a formal definition of the protection of the public could be drawn up. Indeed, such an attempt would be of a highly political nature on a par with defining the public good. On the contrary, to restrict its discretionary powers regarding decisions on the requests for professional recognition

as outlined in the *Professional Code*, l'Office undertook a study of the role traditionally performed by professional corporations in the area of public protection.

A — A study based on the activities of professional corporations

The study undertaken by l'Office is based on the theory that by examining this role, it will be possible to discover which characteristics of corporations are most likely to favour a higher activity level in relation to protecting the public. These characteristics could be used as guidelines for assessing present and future requests for the establishment of professional corporations.

This study, however, is not concerned with how the corporations are carrying out certain obligations recently imposed by the *Professional Code*, e.g. professional inspection or conjoint teaching establishment corporation committees. Not enough time has elapsed since this legislation was passed to evaluate how these new mechanisms are working.

1. INDICATORS OF PUBLIC PROTECTION

L'Office has selected seven fields of activity which it considers to be valuable indicators of the role carried out by professional corporations in relation to the protection of the public. Although difficult to select and of relative value because, for some of them and in varying degrees, they also apply to the interest of the members of corporations, l'Office believes that these seven indicators span the traditional fields of action of professional corporations. They are:

- *admission to practice*
  Requirements set by the corporation regarding the level of education of candidates from Quebec or elsewhere, or other educational prerequisites.
- *discipline*
  The existence of a disciplinary committee which has ruled on at least one complaint during the year.
- *continuing education*
  Training and refresher courses for members, organized by the professional corporation.
- *client information*
  Information given by the professional corporation to the public or to regular clients.
- *standards of practice*
  Certain rules formulated by the corporation on keeping offices, files and books of members or procedures established for distributing professional services.
- *prosecution of unauthorized practitioners*
  Accusations brought before the courts against individuals who illegally practise a profession or illegally assume a professional title.
- *publication of a professional journal or periodical*
  A periodical published at least once a year by the corporation.

Other indicators could have been included such as, for example, the regulating of fees[22], the arbitration of accounts or the existence of a client indemnity fund. However, not all professional corporations are in a position to act in these areas. For the purpose of this study, l'Office has tried to select indicators that correspond to activities which can be performed by a professional corporation within its mandate.

This is not an attempt by l'Office to evaluate the quality of the work performed by each professional corporation in a given field. What can be determined from this study, however, is whether or not a corporation is active in this area based on the minimal requirements[23]. A measure of activity level can also be obtained in all areas selected as indicators of public protection. L'Office is in no way seeking to establish a hierarchy of professional corporations. Its aim is to identify, if needed, the common characteristics of corporations which have a superior level of activity as compared to those corporations with a lower activity level.

2. CHARACTERISTICS OF CORPORATIONS LIKELY TO ENCOURAGE ACTIVITIES RELATED TO THE PROTECTION OF THE PUBLIC

To this end, the activity level of the professional corporations is assessed in terms of some of their characteristics likely to influence it, namely:

1° membership of the corporation;
2° annual income of the corporation;
3° average age of the corporation members;
4° sex of the corporation members;
5 legal status of the corporation;
6° year of incorporation of the corporation;
7° proportion of corporation members in private practice[24];
8° concentration of corporation members in the regions of Montreal and Quebec;
9° nature of the clientele of corporation members;
10° level of education required for new corporation members.

Even though at first glance, the relationship between some of these characteristics and the activity level of the corporations with regard to the protection of the public may appear somewhat unlikely and though other characteristics could doubtlessly be included, l'Office believes that the ten characteristics listed are the most likely to influence the level of activity of the professional corporations.

(22) L'Office held public hearings on this subject in February and March 1976. Its policy in this regard will be made know in a separate report.

(23) To be considered active in any one area of activity, a corporation needs only to have performed one activity in this area.

(24) In this study, the term "private practice" refers to the situation of a self-employed person or of a salaried employee working for a self-employed person.

The procedure is as follows: the corporations are divided into two groups with respect to each characteristic[25]. For example, the corporations are divided in terms of "legal status" into corporations with exclusive right to practise or corporations with reserve of title. One then looks to see whether there is any difference between the activity level of the corporations in each of the two groups. When this difference is statistically significant, it may be concluded that the characteristic in question influences the activity level of the professional corporations until proved otherwise.

Dividing the corporations into two groups in terms of a given characteristic is straightforward when the choice is limited to two possibilities, as in the case of the "legal status" characteristic of a corporation. However, it is more difficult when the characteristic is expressed in numerical data. In some cases, the task is simplified by the fact that the statistical distribution is not uniform: for instance, professional corporations in Quebec have either 35% and over, or 15% or less of their members in private practice. The demarcation here is obvious. In other cases, the statistical distribution is more uniform, e.g., annual income of the corporation, membership, etc. The two groups are therefore divided according to the median[26].

3. COLLECTION OF DATA

This study undertaken by l'Office is based on information gathered from questionnaires completed by the professional corporations and from interviews with representatives of each corporation. These interviews generally lasted half a day and were conducted by the employees of the Research Department of l'Office[27].

Admittedly, this method may have some drawbacks: the representatives of a corporation may have misinterpreted a question or perhaps forgotten to mention some activity performed by their corporation. Nevertheless, it does have the advantage of being conducted in such a way that the information is obtained from the people who are most directly involved and who are most likely to have a thorough knowledge of the activities of their corporation. In addition, this method ensures a direct answer to a precise question, thus eliminating the errors which may arise from interpreting general information obtained from a corporation publication or from some other source.

The data collected refer mainly to the year 1974. Even though this is a relatively short period, it is seen that the data frequently shed light on activities in preceding years. For instance, it may be assumed that a professional corporation which did not have standards of practice in 1974 did not have any during the preceding years. The same holds true for the publication of a professional journal or periodical and even, though to a lesser degree, for continuing education programs. Frequently, the data reveal more than a situation at a given period; they indicate the presence or absence of a level of organization in the corporation.

(25) See Appendix 2: Division of corporations into two groups according to their characteristics and their level of activity.
(26) *Idem.*
(27) See Appendix 3: *Research methods.*

L'Office has excluded from its analysis the nine new corporations created under the *Professional Code* because of the short time which has elapsed since they were established. It would indeed have been premature to examine the activity level of these corporations with regard to the protection of the public[28]. Consequently, the only professional corporations studied were the twenty-nine already in existence before the *Professional Code* was adopted.

To sum up, the study undertaken by l'Office

1° excludes from its analysis the nine professional corporations created under the *Professional Code*, due to the short time which has elapsed since their incorporation and, for the same reason, it also excludes the new obligations created under the Code;

2° does not examine all aspects of the role played by professional corporations in society. It confines its analysis to the level of activity of the corporations in those areas considered as traditional indicators of their activity regarding the protection of the public;

3° evaluates the activity level of the professional corporations with respect to certain of their characteristics liable to influence this level, without however considering the quality of their activity;

4° seeks to ascertain whether the legal status of a corporation, either with a reserve of title or an exclusive right to practise, is a determining influence on its activity level, and

5° aims to identify the characteristics of corporations which promote their activity with regard to protecting the public and which, consequently, could serve as guidelines in assessing requests for incorporation as professional corporations.

B — The level of activity of professional corporations according to certain characteristics of each corporation

From the results obtained by the professional corporations for each of the indicators of public protection, the distinguishing characteristics can be identified and the general activity level can be evaluated on this basis. This activity level is then examined in terms of each of the characteristics considered likely to influence it and which are proved to have a sufficiently explanatory value. The analysis is first carried out individually for the "legal status" characteristic of the corporation, and then in group fashion for the other characteristics.

(28) These nine professional corporations are: chiropractors, dental hygienists, denturologists, hearing aid acousticians, medical technologists, nursing assistants, occupational therapists, physiotherapists and podiatrists.

1. GENERAL LEVEL OF ACTIVITY OF CORPORATIONS

As can be seen in Table 3, an analysis of the data reveals that of the indicators of public protection selected by l'Office, regulating admission to practice and publishing a professional journal or periodical are activities performed by almost all the professional corporations. Indeed, all the professional corporations regulate admission to practice of candidates from outside Quebec and also participate in determining the level of education required by Quebec candidates; moreover, several corporations impose additional obligations on the latter, such as apprenticeship programs, internships or professional examinations. The large majority of the corporations — 25 out of 29 — also publish a professional periodical or journal.

Table 3
ACTIVITIES OF THE CORPORATIONS BY INDICATORS

Corporations		Client information	Discipline	Continuing education	Standards of practice	Professional journal or periodical	Admission to practice	Prosecution of unauthorized practitioners
Practising the activity:	number	9/29	14/29	12/29	6/29	25/29	29/29	14/29
	percentage	31%	48%	41%	21%	86%	100%	48%
Not practising the activity:	number	20/29	15/29	17/29	23/29	4/29	0/29	15/29
	percentage	69%	52%	59%	78%	14%	0%	52%

From these figures, it emerges that the two indicators "control of admission" and "publication of a professional journal or periodical" are not discriminating features. Since almost all the corporations are active in these areas, the corporations cannot be separated into two groups of different activity levels from the results obtained with respect to these two indicators. It may simply be noted that each corporation studied has acquired a degree of organization capable of ensuring the minimal education of its members and of facilitating communication with them. Interesting as this observation is, these two indicators are of no value in this analysis and must be discarded.

In addition, although "prosecution of illegal practitioners" is a discriminating indicator, it is ambiguous. The information obtained in this regard deals of course with prosecutions clearly motivated by public interest, such as those instituted against non-qualified people; it also frequently includes prosecutions of a more equivocal nature against members of other professional corporations or of other groups not recognized

under the *Professional Code* and which practise in related sectors of activity. For this reason, l'Office has decided to reject this indicator. This does not risk eliminating at the same time relevant characteristics, since the characteristics which promote action in the area of "prosecution of illegal practitioners" also promote action in the other areas retained as indicators[29].

The following analysis is thus based on the results obtained by the professional corporations for the four indicators of public protection, namely, discipline, continuing education, public information and standards of practice of the profession. These four indicators are relevant, unlike the other three which have been rejected. Based on the activities carried out in these four areas, an index of the general activity level of the professional corporations can be made.

In making this index, l'Office has not established any hierarchy among the four pertinent indicators. Each indicator has been assigned an equal weighting of "1". In this way, a corporation active in the areas of continuing education and client information obtains the same result, "2", as another corporation which performs disciplinary activities and which establishes standards of practice. The results obtained, which vary from 0 to 4, are given in Table 4.

Table 4
GENERAL LEVEL OF ACTIVITY OF PROFESSIONAL CORPORATIONS

Activity level	Number of Corporations
0	11
1	5
2	5
3	6
4	2

This table reveals a generally low activity level. Eleven of the 29 corporations studied have not been active in any of the four areas retained as indicators, and only two have been active in each of the four areas.

In order to obtain two groups of corporations of more or less equal size, the 13 corporations with levels of 4, 3 or 2 were taken as having a "higher activity level" and the other 16, with levels of 1 and 0, as having a "lower activity level". These two groups were then compared in terms of each of the ten characteristics retained by l'Office as being those most likely to favour activities of public protection.

(29) The only exception is the characteristic "concentration of members in the regions of Montréal and Québec"; prosecutions of illegal practitioners are less frequently undertaken by corporations whose members are concentrated in these two areas. See Appendix 4, *Tables showing activities of the corporations by indicator, according to certain of their characteristics*, see Table 4.7 in particular.

Not all these characteristics could be used for purposes of comparison, either because relevant information was not available for the majority of the corporations or because some of the characteristics only applied to very few of the corporations and, as such, could not provide a valid comparison.

For example, due to the lack of sufficient information from 8 of the 29 corporations on the average age of their members, it was not possible to measure how much influence this characteristic may have on the activity level of the corporations. Similarly, the corporations predominantly composed of female members only represent 5 of the 26 corporations for which data are available. To compare the level of activity of the corporations in terms of the sex of members did not therefore appear valid. The same applied finally to the "level of education" characteristic, since only 6 of the 29 corporations require that their members have non-university diploma[30].

Moreover, of the seven remaining characteristics on which information was supplied by all the corporations and in terms of which two sufficiently large groups of corporations can be distinguished for comparison purposes, the "concentration of members in the regions of Montreal and Quebec" proved unsuitable as a means of significantly differentiating corporations with a higher activity level from those with a lower activity level. In actual fact, only the following characteristics appeared relevant: "legal status", "membership of the corporation", "annual income", "proportion of members in private practice", "nature of the clientele of the members" and "year of incorporation"[31].

To simply state that these characteristics are influential is not, however, sufficient to establish the part played by each in determining a specific activity level. Each characteristic may constitute the principal element of this level of activity. Therefore, so as not to reject *à priori* any source of explanation, l'Office studied the influence of each characteristic.

In this context, the "legal status" of the corporation was the object of a particular examination because, on the one hand, this characteristic is considered in professional circles to be the most likely to influence the activity level of a professional corporation and, on the other hand, because one of the main objectives of this study by l'Office is to assess the effectiveness of the reserve of title.

2. INFLUENCE OF THE CHARACTERISTIC "LEGAL STATUS" OF THE CORPORATION ON THE LEVEL OF ACTIVITY

Most representatives of corporations with reserve of title stressed during their interview the difficulties arising from the fact that membership in their corporation is voluntary: difficulties of recruiting members, difficulties of controlling the practice of the profession, a fluctuating membership, etc. Some of these representatives even stated that, when members who paid little heed to the code of professional ethics had been identified, the corporation deemed it useless to discipline them because these people

(30) See Appendix 4, Tables 4.9, 4.10 and 4.11 in particular.

(31) See Appendix 5. *The probability that the difference in the level of activity is significant*

could then leave the corporation and continue to practise under another title. Others declared that they especially feared the repercussions which an increase in the membership fee might have on the loyalty of their corporation members.

According to these representatives, the members of corporations with reserve of title consider the services which the corporations can offer them to be too limited compared with the controls it imposes upon them. Thus, for example, just as an ever possible increase in the membership fee, the fear of professional inspection would contribute to the alienation of present members as well as other persons admissible for membership. With the situation as it is, the representatives claim that no one believes in the effectiveness of the reserve of title mechanism, either as a means of protecting the public or for defending the interests of its members in the same way as a union does.

Does this view held by the representatives of corporations with reserve of title correspond to the true situation of their corporations? Are these corporations really condemned to doing nothing or are they, instead, paralysed by the fear of failure?

It is not an easy task to assess the effectiveness of the reserve of title mechanism as a means of public protection. Even though many people consider it ineffective, there is no proof that such is the case in all professional sectors, nor that, if it is the case, the situation cannot be changed. *A priori*, it is permissible to think that nothing prevents a corporation with reserve of title from exercising the necessary controls to safeguard its reputation and that of its members, nor from demanding the necessary membership fees insofar as the professional title it confers has a recognized market value. In concrete terms, if a corporation can prove that it groups together the people most likely to provide quality services, then, people who have the qualifications for membership will want to belong to it. Already in several other economic fields, producers of goods and services have succeeded in acquiring and maintaining a reputation for excellence owing to the controls exercised by the association to which they voluntarily belong[32].

In fact, under the present circumstances, almost all the professional titles conferred on members of the 12 corporations with reserve of title studied are seen to have a very strong appeal since, as shown in Table 5, these corporations comprise an average of 77% of the persons admissible for membership. This average would be even higher were it not for the fact that the professional corporations of chartered administrators, industrial relations counsellors and town planners only comprise 15%, 40% and 55% respectively of the persons admissible for membership. Indeed, the average for the 9 corporations is 90%.

(32) By way of example, the following may be cited: bureaus of business ethics (BBB), associations such as the CAA-AAA, hotel associations and the Association of Hunting and Fishing Outfitters, etc.

Table 5
PERCENTAGE OF MEMBERS OF CORPORATIONS WITH RESERVE OF TITLE COMPARED WITH THE TOTAL NUMBER OF PERSONS ADMISSIBLE FOR MEMBERSHIP

Corporations	%
Chartered administrators	15%
Registered industrial accountants	99%
Certified general accountants	99%
Vocational guidance counsellors	85%
Industrial relations counsellors	40%
Dieticians	75%
Chartered appraisers	98%
Speech therapists and audiologists	80%
Psychologists	95%
Dental technicians	99%
Social workers	80%
Town planners	55%
Average per corporation	77%

These figures reveal that corporations with reserve of title do exercise considerable control over the professional services market. It is therefore interesting to see whether the activity level of these corporations with respect to protecting the public differs from that of corporations with exclusive right to practise. But, as seen in Table 6, almost half the exclusive corporations are active in one or other of the fields retained as public protection indicators, whereas most of the corporations with reserve of title are note.

Table 6
ACTIVITIES OF THE CORPORATIONS BY INDICATOR ACCORDING TO THE LEGAL STATUS OF THE CORPORATION

Legal status of the corporation		Client information	Discipline	Continuing education	Standards of practice
Exclusive practice:	number	8/17	11/17	9/17	5/17
	percentage	47%	65%	53%	29%
Reserve of title:	number	1/12	3/12	3/12	1/12
	percentage	8%	25%	25%	8%

From these figures it is seen that almost 50% of the corporations with exclusive right to practise have informed the public of their role and of the services offered by their members, whereas only one corporation with a reserve of title did so. It is also seen that 65% of the exclusive corporations took disciplinary action as opposed to only 25% of the corporations with reserve of title. With regard to continuing education, the percentages are 53% and 25% respectively, and for defining standards of practice, the percentages in both groups drop to 29% and 8% respectively. The difference in each case seems considerable.

Table 7 indicates the activity level of corporations with exclusive right to practise compared with that of corporations with reserve of title.

Table 7
LEVEL OF ACTIVITY OF THE CORPORATIONS ACCORDING TO LEGAL STATUS

	Exclusive practice	Reserve of title
Higher activity level	10 (59%)	3 (25%)
Lower activity level	7 (41%)	9 (75%)
	17 (100%)	12 (100%)

This table shows that only 3 of the 12 corporations with reserve of title have a higher activity level compared with 10 of the 17 corporations with exclusive right to practise. Therefore, there are proportionately twice as many corporations with exclusive right to practise (59%) with a higher activity level than corporations with reserve of title (25%). However, the fact that nearly half the corporations with exclusive right to practise do not reach this level reveals that the mechanism of exclusive right to practise is not necessarily a guarantee of effectiveness.

Moreover, when the intensity of the relationship between the legal status of the corporations is statistically measured against their activity level, the index of which is composed of the four retained indicators, the correlation is seen to be comparatively weak[33].

It is, therefore, necessary to check whether the observed correlation between the legal status of the corporations and their activity level is misleading and whether it depends on some other characteristics. In other words, it must be verified whether the discrepancy observed in the activity level of the corporations according to their legal status is constant or whether it varies when other characteristics are introduced, such as membership of the corporation, annual income, proportion of members in private practice, nature of clientele of members and the year of incorporation of the corporation[34].

a) Influence of membership of the corporation on the relationship between legal status and level of activity

An analysis of the relationship between the "legal status" characteristic and the activity level, when the membership of the corporation is taken into account reveals that the relationship between exclusive right to practise and a higher activity level holds good for only 15 of the corporations which have 1,100 members and over. Indeed, of these 15 corporations, there are proportionately far more corporations with exclusive right to practise which reach a higher activity level than those with reserve of title.

Table 8
ACTIVITY LEVEL OF THE CORPORATIONS ACCORDING TO LEGAL STATUS, IN TERMS OF MEMBERSHIP OF THE CORPORATION

	1,100 members and over		Less than 1,100 members	
	Exclusive practice	Reserve of title	Exclusive practice	Reserve of title
Higher activity level	8 (73%)	1 (25%)	2 (33%)	2 (25%)
Lower activity level	3 (27%)	3 (75%)	4 (67%)	6 (75%)

The 14 corporations which have fewer than 1,100 members have generally a low activity level no matter what their legal status. Of these corporations, 8 have reserve of title and only 2 of them show a higher activity level as do 2 of the 6 corporations with exclusive right to practise.

The "legal status" characteristic does not therefore influence the activity level of the corporations when their membership is below 1,100. The importance of the membership of the corporation may be explained by the fact that a corporation is a

(33) To establish the intensity of the association between the characteristics of the corporations and their activity level, a statistical measure of association was used. See Appendix 6: *The intensity of the relationship measured by the standardized cross-product*.

(34) See Appendix 7: *The use of multivariate analysis to explain the level of activity of the corporations*, and Appendix 8: *Statistical tables used for analysing the level of activity of the corporations*.

typical example of an organization whose income is derived for the most part from obligatory membership fees. Since this fee cannot be raised indefinitely, a large number of members may become increasingly important for the corporation to function efficiently. At least the results presented in Table 8 would tend to support this assumption.

b) Influence of annual income of the corporation on the relationship between legal status and level of activity

A comparison of the corporations according to their annual income[35] reveals that of the 14 corporations which have an income of $150,000, proportionately more corporations with exclusive right to practise obtain a higher activity level than do corporations with reserve of title. Nevertheless, this comparison shows that of the 15 corporations with an annual income of less than $150,000, the legal status does not determine any significant difference in the activity level. Six of these corporations have exclusive right to practise and only one of them shows a higher activity level, which is also the case for 2 of the 9 corporations with reserve of title. These results are given in Table 9.

Table 9
ACTIVITY LEVEL OF THE CORPORATIONS ACCORDING TO LEGAL STATUS, IN TERMS OF THEIR ANNUAL INCOME

	$150,000 and over		Less than $150,000	
	Exclusive practice	Reserve of title	Exclusive practice	Reserve of title
Higher activity level	9 (82%)	1 (33%)	1 (17%)	2 (22%)
Lower activity level	2 (18%)	2 (67%)	5 (83%)	7 (78%)

The "legal status" characteristic therefore has no influence on the activity level of the corporations which have an income of less than $150,000. Since activities connected with the protection of the public entail, as the corporations themselves maintain, a considerable expense, it appears that a corporation must have a relatively high income at its disposal.

c) Influence of proportion of members in private practice on the relationship between legal status and level of activity

The proportion of corporation members in private practice is another factor liable to influence the activity level of a corporation. Employers, unions and even corporations believe that, when most of the members of a corporation are salaried employees of companies, organizations or institutions, it is difficult for that corporation to exercise its control over the practice of its members[36].

(35) The "membership of the corporation" and the "annual income" must be considered as separate characteristics since the number of corporations with 1,100 members, and over, do not all have an annual income of at least $150,000, nor do all corporations with an income of $150,000 have 1,100 members and over.

(36) The information from employers or unions was obtained when employers and unions of professionals were interviewed for a study now in progress on the continuing education of professionals.

In general, the employers interviewed consider that the existing quality controls in companies, organizations or institutions are perfectly adequate to ensure the protection of the public. They also mentioned that they themselves ensure the continuing education of their professional personnel and that this meets their requirements. As for the unions, some consider the controls exercised by corporations whose members are for the most part employed by companies, organizations or institutions, to be useless and quite unnecessary. In practice, unions and employers stated that they have little contact with the corporations. The unions, in particular, consider that in any structured working environment, the professional acts of a salaried employee are always the responsibility of his employer who, accordingly, becomes responsible for the protection of the public.

In this sense, several corporation representatives during their interview explained the inactivity of their corporation by the fact that possible action by them would merely duplicate that of other responsible organizations, such as the Government, universities, employers and the courts which assume the major responsibility for client information, continuing education, formulating standards of practice and discipline.

The corporations which have a large proportion of members working as salaried professionals for companies, organizations or institutions thus reveal the problems they experience in defining their objectives and in maintaining an original role. The difficulties described by these corporations give considerable importance to the characteristic of the "proportion of members in private practice" as a factor in explaining the difference in the levels of activity.

This characteristic is of particular interest in that corporations with only a minority of their members in private practice form a group of homogenous corporations which is quite distinct from that formed by corporations with a higher proportion of self-employed members. Indeed, except for chartered appraisers and land surveyors, for whom the proportion of members in private practice is 35% and 45% respectively, all the corporations either have 50% and over, or 15% and under of their members in private practice.

As shown in Table 10, corporations with exclusive right to practise differ from corporations with reserve of title when 35% or more of their members are in private practice. Indeed, of the 13 corporations in this situation, 11 have exclusive right to practise with 9 of them reaching a higher activity level. The only two corporations with reserve of title which have a large proportion of members in private practice both show a lower activity level.

Table 10
ACTIVITY LEVEL OF THE CORPORATIONS ACCORDING TO LEGAL STATUS, IN TERMS OF THE PROPORTION OF MEMBERS IN PRIVATE PRACTICE*

	35% & over in pr. prac.		15% & less in pr. prac.	
	Exclusive practice	Reserve of title	Exclusive practice	Reserve of title
Higher activity level	9 (82%)	0 (0%)	1 (17%)	3 (33%)
Lower activity level	2 (18%)	2 (100%)	5 (83%)	6 (67%)

*Data available for only 28 of the 29 corporations

From this table, it emerges that the "legal status" does not influence the activity level of the corporations when 15% or less of their members are in private practice. Indeed, the table shows that of the 15 corporations in this category, 5 of the 6 corporations with exclusive right to practise have a lower activity level, as do 6 of the 9 corporations with reserve of title.

d) Influence of the nature of the clientele of the members on the relationship between legal status and level of activity

The nature of the clientele of members of a corporation is another characteristic likely to influence its activity level. Representatives of several corporations maintain that companies, organizations or institutions which have recourse to professional services are, unlike individual consumers, generally both well-informed about the nature of professional services and well-organized so as to ensure their own protection. This being the case, it might be supposed that corporations whose members provide services to this kind of clientele are less active in the areas retained as indicators than are corporations whose clientele is mainly composed of individuals.

By referring to Table 11, it can be seen that the members of 16 corporations offer their services to a predominantly individual clientele, whereas those of the other 13 corporations have a predominantly collective clientele. With regard to the corporations whose members have a mainly individual clientele, of the 10 corporations with exclusive right to practise, 8 show a higher activity level, whereas only 2 of the 6 corporations with reserve of title reach this same level.

Table 11
ACTIVITY LEVEL OF THE CORPORATIONS ACCORDING TO LEGAL STATUS, IN TERMS OF NATURE OF THE CLIENTELE OF THE MEMBERS

	Predominantly individual clientele		Predominantly collective clientele	
	Exclusive practice	Reserve of title	Exclusive practice	Reserve of title
Higher activity level	8 (80%)	2 (33%)	2 (29%)	1 (17%)
Lower activity level	2 (20%)	4 (66%)	5 (71%)	5 (83%)

On the other hand, the 13 corporations, whose members have a mainly collective clientele, have a generally poor activity level which does not differ according to the legal status. With respect to these corporations, of the 7 with exclusive right to practise, 5 have a lower activity level as do 5 of the 6 corporations with reserve of title.

The "legal status", therefore, makes no difference to the activity level of the corporations whose members have a predominantly collective clientele. The "nature of the clientele" restricts the influence of the "legal status" characteristic of corporations where the majority of the members provide services to individual clients.

e) Influence of year of incorporation on the relationship between legal status and level of activity

Since corporations with exclusive right to practise have, on average, been in existence much longer than corporations with reserve of title[37], the theory might be advanced that the former are generally more active because of their seniority.

As a matter of fact, there is a considerable gap between the years when the older corporations were established and those of the incorporation of more recent corporations. Indeed, the large majority of corporations were incorporated either before 1900 or after 1950, and not one was incorporated between 1921 and 1940. The economic, technological and social conditions which led to the recognition of the corporations in each of these two groups are, consequently, very different.

During the interviews, however, the year of incorporation was rarely mentioned by corporation representatives to explain the difficulties they encountered in performing their activities. If one accepts the representatives' reasons, then the seniority of a corporation is not a particularly relevant variable.

(37) Only 4 of the 17 corporations with exclusive right to practise were established after 1940, whereas the 12 corporations with reserve of title were all incorporated after this date.

However, when the activity level of corporations with exclusive right to practise is compared with that of corporations with reserve of title in terms of their year of incorporation, it is noted, as shown in Table 12, that this is an important characteristic for explaining the differences in the activity levels observed.

Table 12
ACTIVITY LEVEL OF THE CORPORATIONS ACCORDING TO LEGAL STATUS, IN TERMS OF YEAR OF INCORPORATION

	Before 1922		After 1939	
	Exclusive practice	Reserve of title	Exclusive practice	Reserve of title
Higher activity level	10 (77%)	0 (0%)	0 (0%)	3 (25%)
Lower activity level	3 (23%)	0 (0%)	4 (100%)	9 (75%)

In fact, though a comparison cannot be made between the effectiveness of the exclusive right to practise and the reserve of title for the 13 corporations established before 1922, since all have exclusive right to practise, it can nevertheless be seen that of the 16 corporations established after 1939, those with exclusive right to practise do not have a higher activity level than those with reserve of title. Indeed, the 4 corporations with exclusive practice in this group all have a lower activity level whereas the only 3 which show a higher activity level are all corporations with reserve of title.

Once again, the legal status of a corporation alone cannot be said to explain the activity level of that corporation. On the contrary, the year of its incorporation seems to be a strong influence in explaining the activity level of a corporation, whatever its legal status may be.

* * *

In short, it is seen that although the relationship between the legal status of a corporation and its activity level is important on the statistical level, its intensity is relatively low. On the one hand, this association is valid only under the following conditions:

1. when the membership of a corporation is 1,100 or more;
2. when the annual income of a corporation reaches at least $150,000;
3. when 35% and over of the corporation members are engaged in private practice;
4. when the clientele of the corporation members is composed mainly of individuals;
5. when the year of incorporation is prior to 1922.

When these conditions are absent, almost all the corporations, including those with exclusive right to practise, show a lower activity level.

On the other hand, of all the characteristics studied, the "legal status" is not only the characteristic which, with the "membership of the corporation", has the weakest connection with the activity level of the corporations but it is also one whose observed relationship varies most when subjected to the influence of the other characteristics[38]. Indeed, the "legal status" is a variable which is highly dependent on other characteristics such as "the year of incorporation" or "the proportion of members in private practice"; consequently, it is relevant only to the extent that it is associated with these characteristics. Being granted an exclusive field of practice cannot therefore be considered an automatic panacea. In fact, there does not seem to be a universal solution to the problems faced by the corporations in carrying out their responsibilities entrusted to them by the legislator.

3. INFLUENCE OF THE OTHER CHARACTERISTICS ON THE LEVEL OF ACTIVITY

This analysis to establish the influence of the "legal status" of the corporations on their activity level, was repeated by using the same method for each of the other five characteristics retained, namely, membership of the corporation, annual income, proportion of members in private practice, nature of members' clientele and year of incorporation. It was not considered necessary to record the procedure in detail and, in order to keep the study brief, only the conclusions are presented[39].

Therefore, according to this analysis, each of these five characteristics serves to explain, in the same way as the "legal status", the activity level of the corporations. Consequently, this level does not only vary with respect to the legal status of the corporations but also with respect to their membership, annual income, proportion of their members in private practice, nature of the clientele of the members and their year of incorporation. However, the intensity of the relationship between each of these characteristics and the activity level of the corporations is variable. As illustrated in Table 13, not all the characteristics seem to be of equal importance in explaining the differences noted in the activity levels of the corporations.

Table 13
INTENSITY OF THE STATISTICAL RELATIONSHIP BETWEEN THE CHARACTERISTICS OF THE CORPORATIONS AND THEIR ACTIVITY LEVEL*

Year of incorporation	0.15
Annual income of the corporation	0.14
Proportion of members in private practice	0.11
Nature of clientele	0.10
Legal status	0.09
Membership of the corporation	0.08

*Established by means of the adjusted standardized cross-product measure, these figures give a relative value by means of which the intensity of relationship can be compared. This value may vary from 0 to 0.25. The closer it is to 0.25, the greater the intensity of the relationship. See Appendix 6, Table 6.3 in particular.

(38) See Appendix 8, Tables 8.10 and 8.11

(39) See Appendix 8 which contains all the data on which this analysis is based.

In theory, the intensity of the relationship between each characteristic and the activity level of the corporations, when another characteristic is also taken into account, may remain stable, be modified or even be completely nullified. In this analysis of the influence of each of these five characteristics on the activity level of corporations, no relationship is nullified by the effect of another characteristic. The relationship persists therefore between, on the one hand, the legal status, the membership of the corporation, the annual income of the corporation, the proportion of members in private practice, the nature of the clientele, the year of incorporation and, on the other hand, the activity level of the corporations. However, the relationship is conditional for each of these characteristics, that is, it is only maintained under specific conditions. These conditions are essentially the same for all the characteristics:

1° Corporations established before 1922 have a higher activity level than more recently established corporations, provided that 35% and over of their members are in private practice, that the clientele of their members is mainly composed of individuals, that they hold exclusive right to practise and have 1,100 members or more. On the other hand, the fact that any of these corporations have an annual income of $150,000 or more is not a prerequisite for obtaining a higher activity level, although such an income is advantageous.

2° Corporations with 35% or more of their members in private practice have a higher activity level than those whose members are for the most part employed by companies, organizations or institutions, provided that they were incorporated before 1922, that they have an annual income of $150,000 and over, that the clientele of their members is composed primarily of individuals, that they have been granted exclusive right to practise and that they have 1,100 members or more.

3° Corporations whose members have a clientele predominantly composed of individuals have a higher activity level than those whose members have a clientele mainly composed of companies, organizations or institutions, provided that they were established before 1922, that they have an annual income of $150,000 and over, that 35% or more of their members are in private practice, that they have been given exclusive right to practise, and number 1,100 members or more.

4° Corporations with an annual income of $150,000 or more have a higher activity level than those with a lower income at their disposal, provided that 35% or more of their members are in private practice, that the clientele of their members is mainly composed of individuals, that they hold exclusive right to practise and have 1,100 members or more. However, the principal reason why these corporations show a higher activity level than the others is because they were established before 1922.

5° To a lesser degree, corporations with a membership of 1,100 or more tend to have a higher activity level than those with fewer members, provided that they were incorporated before 1922, that at least 35% of their members are in private practice, that the clientele of their members is primarily composed of individuals and that they

have exclusive right to practise. However, it is mainly because they generally have an annual income of $150,000 or more that these corporations reach a higher activity level than the others[40].

Even if each of these characteristics is likely to favour a higher activity level of the professional corporations with regard to protecting the public, the study reveals that no one characteristic alone can explain the differences noted in the activity levels of the corporations. Indeed, it is only when the large majority of these characteristics are also present that each characteristic influences the activity level regarding the protection of the public.

Nevertheless, some of these characteristics appear to be more important than others. This is especially true of "the year of incorporation" of a corporation which, as indicated in Table 13, is the characteristic that shows the strongest relationship with the activity level of the corporation.

The dominant position of this characteristic can undoubtedly be explained by the fact that other characteristics, such as the legal status of a corporation, its annual income or the proportion of its members in private practice, themselves characteristics connected with activities of public protection, are generally associated with the "year of incorporation"[41]. L'Office, however, does not believe this to be the entire explanation. The great importance of the "year of incorporation" characteristic shows, according to l'Office, that the historical context in which the corporations obtained legal recognition may have a considerable influence on the activity level with regard to the protection of the public.

C — The activities of professional corporations in a historical perspective

The fact that the seniority of the corporations studied is the most influential characteristic related to their level of activity with regard to public protection provides an extremely interesting lead to interpreting the results of this study. In fact, the theory may be proposed that corporations are established at a certain point in time in order to meet the particular requirements of that period. This would seem to be borne out by the polarization of the corporations around two specific periods in the evolution of occupations:

- the corporations which were established more than fifty years ago are usually composed of members engaged in private practice, hold exclusive right to practise, have higher incomes at their disposal and are considerably more active with regard to the activities related to the protection of the public, which constitute the four indicators;
- the corporation established more recently are usually composed of people who are not self-employed, do not have exclusive right to practise, have a lower income and are comparatively inactive with regard to the protection of the public.

(40) See Appendix 8, Tables 8.4 and 8.9

(41) See Appendix 9: *Statistical relationships between the characteristics of professional corporations.*

These observed differences between the two types of corporations seem to indicate that the mechanism of a professional corporation has not been able to adapt adequately to the changing social conditions and, more especially, to the changes in the working environment over the years. Thus, before studying whether this mechanism can be extended to new sectors of activity, it is necessary to retrace its origins, look closely at the factors restraining its adaptation and discover why it is still so attractive to people who provide services.

1. TRADITIONAL PROFESSIONAL CORPORATISM

The professional corporations established in Quebec during the second half of the 19th century and the beginning of the 20th century were in keeping with an economy based on free enterprise. Producers of goods and services were for the most part scattered throughout various small companies and most professionals were engaged in autonomous and isolated private practice.

The members of corporations established at this time usually worked in broad, general fields of knowledge. Skilled people in the labour force were rare, the extent of knowledge was less than it is today and division of labour was not as prevalent. Each field of knowledge had a corresponding field of practice — medicine, dental medicine, law, etc. — and each professional could offer all the services in his particular field.

In this context, professional corporations were created to meet specific needs, as much for the professional as for the client, e.g. the need for identifying the professional who was not part of a homogenous group, the need for standardizing the services offered by independent professionals to clients unable to assess the quality thereof, etc. Through the establishment of a corporation, the distribution of professional services in a specific area could be stabilized to some extent while still respecting the system of free enterprise which was dominant at that time.

Simultaneously seeking to defend the interests of their members and promote the profession (development of knowledge and techniques), as well as the welfare of their clients and of the public at large (service ideal), these autonomous corporations were the only means of controlling the professions involved. It seemed difficult to regulate in any other way autonomous practitioners working separately and having a monopoly over vast fields of knowledge. Thus, the providers of services alone were entrusted with the task of looking after the interests of the people using those very services.

This situation led the corporations to formulate a professional ideology based on self-discipline and ethical creed of their members. By declaring that the public interest took precedence over the professional's interest, this ideology sought to diminish the ambivalent nature of professional corporatism founded on self-regulation. This ideology was based on the concept of vocation or of service to humanity and integrated well with the humanist and elitist philosophy which prevailed at that time. This philosophy, propagated in all the teaching institutions of the day, served to prepare the future professional to use his autonomy and power properly and reasonably.

For lack of any other means to supervise providers of services, the professional corporations accomplished their task fairly successfully but not in an entirely disinterested fashion. They brought about a standardization of educational programs, but, constantly and sometimes unnecessarily, raised educational requirements as well as those of admission to practice. They supervised advertising, but, also established rules specifically aimed at eliminating "disloyal" competition between colleagues. They adopted codes of ethics to govern the relationships between their members and the public, which also applied to the "good relations" amongst the members themselves.

2. PROFESSIONAL CORPORATISM IN A CHANGING SOCIETY

The rapid industrialization of Quebec society and the technological revolution brought about by World War II have greatly changed the conditions of work as well as the characteristics of the labour force. Three factors are particularly striking: the salarization of manpower, the division of work activities due to the expansion of fields of knowledge, and government intervention in supplying essential services.

a) The salarization of manpower

The increasing takeover of work activities by large organizations, private or public companies, has gradually led to a more salaried labour force. As a matter of fact, concentration of capital as well as increased task specialization have greatly changed the economic context which formerly allowed a qualified person to practise his trade or profession on his own. The concept of interdependence has replaced that of autonomy with the result that a great many qualified people possessing specialized knowledge have become salaried employees.

This process which has increased the number of salaried professionals in the labour force has greatly lessened the role of the professional corporations in controlling the distribution of professional services. For, as salaried employees, working people are at the same time less isolated and less autonomous. They usually express their solidarity within unions expressly formed to defend their own interests, and they are subject to a formal hierarchical control which is more structured and precise than that exercised by the professional corporations over their members in private practice.

Indeed, very often the employer, for his own objectives, carries out functions of discipline competence assessment and continuing education in a more direct and sustained way than could be done by a professional corporation. In this context, the professional corporation mechanism only serves to complement other mechanisms aimed at defending consumer interests. This, at first glance, meets less urgent and partially satisfied needs of public protection.

In short, if the number of positions requiring higher qualifications and the number of services available to the public have increased and diversified due to the growth of knowledge and the industrialization of society, the greater number of salaried workers has stabilized both the production and distribution of these services as, in earlier times, did the professional corporation mechanism with regard to services offered in private practice.

b) Division of work activities and expansion of fields of knowledge

The division of tasks corresponds to an increasingly marked division of labour. Professionals are less and less able to claim to offer an extensive range of services in an entire field of knowledge. Their work is frequently segmented and specialized. Moreover, qualified people are recruited as much for the special competence they have acquired in a specialized field and because they have become experts in a particular sector, method or procedure, as because they possess a specific level of education[42]. The qualified person's field of activity is increasingly well-defined.

Thus, it is no longer necessary to acquire all the accumulated knowledge in an extensive field in order to provide an exact, well-identified service. A relatively narrow but specific training is sufficient to perform the work defined in a restricted field of activity. Many complementary techniques have thus emerged in fields of knowledge previously occupied by members of a single professional corporation, and work teams composed of people possessing different training and varying levels of education are frequently found in one area of activity[43]. This division of work activities corresponds to the expansion of fields of knowledge since the occupation tends to be defined more in terms of specific need than in relation to a field of general knowledge.

Since the fields of activity of qualified people have been reduced, it is easier to supervise the labour force in salaried areas. Hierarchical control is more readily exercised when people are called to perform specific acts according to well-tried methods in clearly defined circumstances.

Obviously not all occupations have developed at the same rate and some are much less suited to such a division of labour. Indeed, it does not always seem possible to segment a field of knowledge or even, when this is possible, to pin down the emerging skills precisely enough so as to confine them within strict definitions. Such a situation, moreover, would not necessarily be desirable since these skills frequently overlap in areas of related activities or even encroach on each other within the same area. Nevertheless, there are fewer and fewer fields where the autonomous professional corporation acts as the sole control mechanism of a person offering a complete range of services within an extended field of knowledge and practising his profession on his own in private practice.

(42) Some professional corporations, such as that of lawyers, refuse to formally recognize the specialization of their members and try to have them offer a complete range of services so that the largest market remains accessible to all. Employers and clients nevertheless look for specialists.

(43) To illustrate this, one need only state that there are at the moment 20 professional corporations in the field of health, 4 of which are confined to dental services: dentists, denturologists, dental technicians and dental hygienists. Other examples may be cited, particularly in the field of rehabilitation where the following professional corporations are found: occupational therapists, physiotherapists, speech therapists and audiologists, hearing-aid acousticians, chiropractors, as well as other groups of technicians. In other professional areas such as engineering planning and development and human relations, for example, many groups of technicians are seeking legislation which would allow them the right to practise in a part of a more general field of knowledge.

c) Government intervention in providing essential services

Omnipresent in professional ideology, the concepts of "vocation" and "service ideal" coincided with the existence of individual needs which could be filled by some charitable action. The professionals, that is, physicians, lawyers, and others, dispensed a kind of distributive justice by taking the client's ability to pay into account when calculating their fees, and by generally providing their services free of charge to the needy. This attitude which was consistent with the general beliefs held by all professional corporations was quite an important way of self-regulating those providing essential services. Professional corporatism therefore filled an important social need.

But this need is far less pressing since the recognition of certain basic social rights — health, housing, minimum wage, etc. — and since the Government's intervention in the supply of essential services. This intervention especially is following an apparently irreversible trend, considering that public revenue is increasing and that new needs requiring priority action by the Government are emerging.

In various guises, e.g., finance, regulation, takeover or direct supply of services, the Government's intervention is now considerable in the field of professional services. More or less directly, the Government is the principal employer of professionals or the principal client for professional services offered in private practice. This significantly changes the relationship between professionals and their clients, and makes the incorporation of a new professional corporation in a given field less essential, the more so as other mechanisms may advantageously replace it. The Government can, in fact, pass laws enabling it to directly control a work activity and also issue permits to those practising such an activity[44]. It can also pass various laws of a more general nature which regulate more indirectly the distribution of professional services: the *Act respecting health services and social services*[45], the *Consumer Protection Act*[46], the federal *Combines Investigation Act*[47], etc.

Considered separately, each of these factors — salarization of manpower, division of labour and Government intervention — greatly reduces the foreseeable participation of professional corporatism in new areas of activity. Even more so, their simultaneous development in the last few decades calls for great caution in assessing the need for establishing new professional corporations, which explains why, since the last war, the Government has hesitated to incorporate too many professional corporations and why, when it has done so, it has preferred to grant reserve of title rather than the exclusive right to practise.

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(44) For example, see the *Real Estate Brokerage Act*, Revised Statutes of Quebec, 1964, Chap. 267, Sec. 2; the *Cullers Act*, Revised Statutes of Quebec, 1964, Chap. 97, Sec. 13; the *Public Health Protection Act*, Statutes of Quebec, 1972, Chap. 42, Sections 26 and 27 (embalmers and funeral directors); the *Bailiffs Act*, Statutes of Quebec, 1974, Chap. 13, Sec. 2; the *Act respecting Insurance*, Statutes of Quebec, 1974, Chap. 70, Sections 327 and 348 (insurance agents and claims adjusters); the *Collection Agents Act*, Statutes of Quebec, 1974, Chap. 73, Sec. 8.

(45) Statutes of Quebec, 1971, Chap. 48.

(46) Statutes of Quebec, 1971, Chap. 74.

(47) Revised Statutes of Canada, Chap. C-23, amended by Statutes of Canada, 1974 - 1975, Chap. 76. This amendment extended the application of this Act to the service sector.

The degree of involvement of professional corporations in salaried areas in particular seems to raise several questions. To be sure, neither the increase in the number of salaried professionals nor Government intervention in the distribution of services to the public, in themselves prevent a professional corporation from watching over the quality of the services offered by its members nor from protecting the public. However, this study by l'Office reveals that, on this level, most corporations with a majority of members employed by companies, organizations or institutions have not accomplished their task in a convincing way.

To sum up, the following can be stated from this analysis.

1° Professional corporatism fits into a specific historical context of controlling certain work activities, and is not inherent to the nature of those activities.

2° This control mechanism cannot be expanded indefinitely. Created in a context when there were no other means of regulating the distribution of certain essential services, it can no longer be justified in the same way, to the extent that the evolution of occupations and government intervention in supplying services contribute to stabilize the market and provide an effective framework for these services.

3° In this new context, it becomes more difficult to base a general policy regarding the protection of the public or the protection of consumers of the services in question, solely on the self-regulation of the service providers.

3. THE APPEAL OF PROFESSIONAL CORPORATISM

These findings prompt one to question why, in Quebec, professional corporatism has spread to groups of people whose members work mainly as salaried employees in organizations, while its original purpose was to meet the need of controlling independent producers. Apart from wanting to protect consumers of professional services, how can the appeal of the professional corporatism mechanism be explained to these groups? Why is this control mechanism still so greatly sought after by people who may possibly be restricted by it?

To answer these questions, a typically North American social phenomenon must be studied, namely, the "professionalization" of occupations, in terms of the main elements likely to influence it in Quebec; the overall North American context and the conditions unique to Quebec.

a) The North American context

Legal recognition of professional occupations in North America was due as much to a process of imitation as to the fulfilment of specific needs. Numerous groups supported by the teaching institutions, tried, especially by raising the educational requirements of their members, to imitate the liberal professions and consequently sought to obtain professional recognition. As some of these groups succeeded in being professionally incorporated, other groups working in related areas followed their example.

This professionalization movement which has spread throughout North America is not as prevalent in Europe[48]. This, we believe, is due to the fact that in North America, more than in Europe, professional corporatism with exclusive right to practise has traditionally conferred far-reaching powers which can be exercised independently on those it governs:

1 — the power of regulating admission to the profession which, while ensuring the competence of members, may also prevent the supply of services from greatly exceeding the demand;

2 — the power of regulating the conditions of practice of the activity in question: advertising, competence, code of ethics, discipline, etc.;

3 — the power of imposing fee schedules which ensure a stable income;

4 — the power of preventing illegal practice which ensures that the boundaries of a field of exclusive practice remain stable during a certain time period.

The legislators did not grant these various powers to all the groups which sought them. On the contrary, they showed considerable restraint in this respect[49]. But due to their great perseverance, several of these groups did finally get themselves established as autonomous corporations and, consequently, to exercise most of these powers. Nevertheless, depending on the Canadian province or the American state, formal recognition as professional corporations was not always given to the same groups nor were they always entrusted with the same powers[50].

The ability to control the market, which results from the professional corporation status, and which explains the strong trend towards professionalizing occupations in North America, is of as much interest to corporations or groups whose members are primarily employed by companies, organizations or institutions, as it is to corporations whose members are mainly in private practice. Indeed, the possibility of controlling the market for a particular service by means of regulating admission to practice, raising educational requirements or preventing illegal practice, helps to stabilize if not improve the income of all the members of a corporation or group. In addition, the power of setting the fee structure in private practice, over and above the advantages this has for the professionals concerned, provides an important frame of reference when it comes to negotiating the remuneration of salaried members.

(48) CHAPOULIE, Jean-Michel, "Sur l'analyse sociologique des groupes professionnels", *Revue française de sociologie*, 1973, pp. 99-100. WILENSKY, Harold L., "The Professionalization of Everyone?", *The American Journal of Sociology*, 1964, pp. 141-146.

(49) In this regard, see Claude-Armand SHEPPARD, *op. cit.*, note 4, general introduction, volume 1, book 1, pp. 110-111 and volume 6, book VI (1), pp. 1686 - 1708.

(50) *Ibid.*

These powers of controlling the market explain in large part the relatively high income of members of most professional corporations with exclusive right to practise, who are in private practice. Moreover, the acquisition of knowledge and information necessary to practise a particular profession and the control frequently exerted on others working in the same sector of activity contribute to the consolidation of professional power in North America. Finally, there is the social prestige which results from such an income, from professional independence and the value of the knowledge acquired[51].

b) Conditions unique to Quebec

The power of attraction exercised by professional corporatism in North America was strengthened in Quebec by the influence of specific historical conditions. In its society, the professional corporatism mechanism was an important tool of upward social mobility due especially to the fact that there were relatively few French-speaking Quebecers in the areas of industry and trade. Without dwelling on this well-known fact of Quebec history[52], suffice it to say that the comparative absence of Quebecers in certain sectors of the economy served to increase the social value of other possible careers, specifically the liberal professions.

A classical and university education was for a long time the only means of entry into a limited number of prestigious careers, controlled by professional corporations. It is this connection between membership in a corporation and social prestige which has prompted various groups to seek professional recognition of their activity. It was indeed the best possible way to confirm the merit of emerging careers. This explains the professionalization process which market the activities of a large number of university graduates in Quebec and the importance given to the professional corporation mechanism in our society.

It seems, moreover, that the recent reform undertaken in Quebec in the professional field has awakened the interest of many groups to professionalize their occupations. This, of course, is not altogether surprising. A great deal of publicity surrounded the legislative process which preceded the adoption of the *Professional Code* that created 9 new professional corporations and entrusted l'Office des professions with the task of recommending the incorporation of other groups in the future. In addition, this reform gave the professional corporation mechanism a unique opportunity to gain new credibility.

(51) Regarding the different aspects of professional power and the possibility of considering professions as interest groups, see TIMPERLEY, S. R. and OSBALDESTON, M.D., "The Professionalization Process: A Study of an Aspiring Professional Organization", *Sociological Review*, 1975; FREIDSON, E., *Professional Dominance: The Social Structure of Medical Care*, 1970, chapters 3 - 5 in particular; HAUG, M.R. and SUSSMAN, M.B., "Professionalization and Unionism: a Jurisdictional Dispute", in *The Professions and Their Prospects*, edited by Eliot Freidson, 1973; GYARMATI, G.K., "La doctrine des professions: fondement d'un pouvoir", *Revue internationale des sciences sociales*, 1975.

(52) In this regard, see DUMONT, Fernand, "La représentation idéologique des classes sociales au Canada français", *Recherches sociographiques*, 1965; FALARDEAU, J.C., "Des élites traditionnelles aux élites nouvelles", *Recherches sociographiques*, 1966; HUGHES, Everett, *Rencontre de deux mondes: la crise d'industrialisation du Canada français*, 1945; SYLVESTRE, Guy, *Structures sociales du Canada français*, 1966.

The combined action of these specifically Quebec factors, in conjunction with the general attraction of professional corporatism in North America, explains in large part why the professionalization process has become so widespread in Quebec. These factors also explain why most existing corporations with reserve of title, as well as other groups whose occupations are not legally recognized, are so anxious to see the process extended. The former, hope in this way, to obtain exclusive right to practise, without which most of the powers mentioned with respect to market control remain uncertain; the latter, while not insisting on being granted exclusive right to practise, hope first to obtain the status of a professional corporation, and postpone their request to be granted exclusive right to practise to a later date.

CHAPTER FOUR

The policy of l'Office des professions regarding the development of professionalism in Quebec

In order to determine how far the development of professionalism should be fostered in Quebec by encouraging the establishment of new corporations and the conversion of existing corporations with reserve of title into corporations with exclusive right to practise, l'Office undertook three consecutive studies: 1° it compared the groups seeking professional incorporation with the existing corporations; 2° it studied research works on the professions in North America, in order to clarify the general factors stated in Section 25 of the *Professional Code* regarding the establishment of a professional corporation; lastly, 3° it analysed certain activities of the professional corporations in existence when the Code was adopted and attempted to identify the characteristics likely to favour their activity with regard to the protection of the public.

The first study revealed to l'Office that the existing professional corporations differ greatly from each other, and this is equally true of groups seeking professional incorporation. Consequently, l'Office was initially unable to draw up a consistent list of characteristics common to the existing professional corporations, which could serve as a guide for establishing new professional corporations.

The second study attempted to identify the attributes shared by all socially or legally recognized professions, which could differentiate them from other occupations. This attempt also proved futile, but it did at least reveal to l'Office that, at present, no agreement exists regarding the identification and definition of these attributes despite the numerous endeavours which have been made in this field over the last few decades.

For want of an unequivocal definition of the concept of a profession, the third study concentrated on the objective of protecting the public which must also apply to any future development of professional corporatism in Quebec. Within the framework of this study, l'Office examined what had been done with regard to the protection of the public, during 1974, by the professional corporations which existed before the *Professional Code*, and it attempted to pinpoint the characteristics likely to encourage their activity in this respect.

This study in no way sought to assess the quality of the work performed by the corporations, but attempted rather to measure their activity level in the four areas retained as indicators of public protection and, despite the relative value of these indicators, it proved on the whole to be more productive than the preceding studies. It did, however, prompt l'Office to question the ability of traditional professional corporatism to adapt to the major upheavals which have occurred in working conditions since its inception.

Now that these studies have been completed, l'Office believes it is in a position to formulate its policy regarding the development of professionalism in Quebec. This policy concerns the establishment of new professional corporations, the specific situation of existing corporations with reserve of title and the adaptation of professional corporatism in salaried areas.

A — Establishing new professional corporations

In this first section of its policy, l'Office will examine separately the prerequisites for granting professional self-regulation and then, look at the question of choosing between the classification of reserve of title and the exclusive right to practise for groups satisfying these prerequisites.

1. CONDITIONS FOR GRANTING PROFESSIONAL SELF-REGULATION

With regard to the possibility of granting professional self-regulation to new groups, l'Office here sets forth the guiding principles which it will follow when evaluating any requests received. It describes the measures contemplated according to the characteristics of the groups in question, and finally looks at some exceptional situations.

a) Guiding principles

For lack of data suitable for specifying and making operative the general factors given in Section 25 of the *Professional Code* with respect to establishing a professional corporation, l'Office intends to examine the requests it receives on an individual basis. After holding discussions with the groups concerned, it then intends to evaluate the advisability of recommending that a professional corporation be created or, if need be, that some other form of control be used with regard to the protection of the public.

Nevertheless, in its assessment, l'Office will take into account the fact that the conclusions of its study on the corporations already in existence when the *Professional Code* was adopted, show that those corporations with a higher activity level in protecting the public have, in various degrees, retained five distinct characteristics which may be divided into two categories. On the one hand, the characteristics pertaining to the conditions of professional practice, namely, a large proportion of members in private practice, the members' clientele composed primarily of individuals, and a relatively extensive field of knowledge; on the other hand, the characteristics relating to the operating conditions of a corporation, namely, substantial financial resources and a relatively large membership.

i) Characteristics relative to conditions of professional practice
L'Office intends to formulate its recommendations regarding each request for establishment as a professional corporation by basing itself first on the three characteristics pertaining to the conditions of professional practice.

Only the first two of these characteristics can be evaluated objectively. Consequently, l'Office anticipates little difficulty in using them to assess the requests for recognition as professional corporations. The third characteristic, the extent of the field of knowledge, even though it is not a very precise quality that is easy to measure and likely to provide an unequivocal guideline when establishing a professional corporation, is, in the opinion of l'Office, as essential as the other two characteristics for granting professional self-regulation.

Indeed, the difficulty of forming an opinion on certain activities facing people who do not have similar training and qualifications to those performing these activities, is very often proportional to the amount of knowledge involved. When this field of knowledge is very broad, it is considerably more difficult for clients to judge the quality of the services received and thus to ensure their own protection. In such a situation, professional self-regulation is, therefore, frequently the only mechanism for controlling people in private practice, who have a clientele composed of individuals. Furthermore, when the field of knowledge is limited, some other form of control may be sufficient to guarantee the effective protection of the public.

Accordingly, l'Office will insist that groups seeking to be established as corporations have a large proportion of their members in private practice, dealing with a predominantly individual clientele and having a field of knowledge, which because of its scope, makes it difficult for the profession to be properly supervised by any other means of control.

This policy in granting professional self-regulation is restrictive. It is based on the fact that the present socio-economic context is very different from that which prevailed during the development of traditional professional corporatism and, consequently, as was seen in the previous chapter, too many professional corporations do not reach a high activity level with regard to protecting the public. In addition, alternatives to professional corporatism, which were not available at the time, now exist for controlling, if necessary, independent service providers[53].

ii) Characteristics relative to the functioning of a corporation
Added to the three characteristics relating to professional practice and which are essential to the effectiveness of professional corporatism, are the other characteristics previously mentioned which refer to the functioning of a corporation: indeed, according to our study, the corporations which have a higher activity level generally possess substantial financial resources and a relatively large membership. L'Office will also insist on these two characteristics when it assesses requests for establishing new professional corporations.

(53) See footnote No. 44

b) Measures contemplated

L'Office will only consider the possible granting of professional self-regulation to groups which, in its opinion, possess the five characteristics mentioned above. However, without considering the resources at the disposal of these groups, l'Office will advocate some other form of control for those whose members are in private practice, with an individual clientele, but who are not working in an extended field of knowledge, if they are likely to cause serious harm to the public due to the nature of the acts they perform.

Furthermore, it may happen that other groups will satisfy the requirements relating to the conditions of professional practice — private practice, individual clientele, extensive field of knowledge — without necessarily possessing the appropriate human and financial resources to perform their role in protecting the public. If that is the case, l'Office believes it unrealistic to think that once established as professional corporations, these groups could assume an effective role in protecting the public. One such instance, among others, is that of the Quebec Acupuncture Association whose members are engaged in private practice, dealing with a primarily individual clientele and working in a broad field of knowledge which many people consider as a rival to western medicine.

Under such circumstances, l'Office does not plan to recommend the establishment of professional corporations. It will propose instead another form of control along one of the following lines: periodic inspections and control undertaken by a Ministry or Government agency directly involved; direct control by l'Office des professions; joint control by l'Office and a Government agency, or by l'Office and a professional corporation whose knowledge seems essential for supervising the activity in question.

L'Office has already had the occasion to study the question of acupuncture two years ago[54]. Since that time, there have been numerous developments in this field; in particular, many people who practised acupuncture were convicted by the courts of illegally practising medicine. L'Office thus felt that the situation needed to be re-examined in terms of Section 25 of the *Professional Code* and the guiding principles stated above.

After this re-examination, l'Office intends to recommend to the Lieutenant-Governor in Council that he presents to the National Assembly of Quebec a bill to amend Section 19 of the *Medical Act*. This would enable the Bureau of the Professional Corporation of Physicians of Quebec, in consultation with l'Office and the people involved, to determine by a ruling, subject to Government approval, the educational requirements for non-physicians wishing to practise acupuncture, as well as rules relating to the practice of acupuncture by these non-physicians. L'Office also plans to recommend that, with regard to this ruling, it be granted power of substitution similar to that which it already has under Section 12 of the *Professional Code* and Section 20 of the *Medical Act*, authorizing it to replace the corporation if the latter neglects to establish these rules or fails to establish them satisfactorily.

(54) Office des professions du Québec, *Mémoire au lieutenant-gouverneur en conseil sur l'acupuncture*, mai 1974.

c) Special situations

L'Office recognizes, however, that exceptions will arise to this general policy, for example, where members of a group seeking professional incorporation work in the same field of activity as an existing corporation, or in a related field of activity, and possess virtually the same education as the members of this corporation. Under such circumstances, l'Office may consider it best to encourage the integration of the members of these groups with the relevant corporations.

Another possible exception to this general policy is in the case of some groups to which the Government had granted the status of a professional corporation with reserve of title by a special act, before the *Professional Code* was adopted, and which was not included in this Code in 1973. Two such groups, namely, the Corporation of Professional Technicians and the Interior Decorators' Society[55], have made an official request to l'Office for recognition under the *Professional Code*. Their requests will form the subject of a special scrutiny.

2. THE CHOICE BETWEEN RESERVE OF TITLE AND EXCLUSIVE RIGHT TO PRACTISE

In each instance when l'Office will decide to recommend that a group be given the right of professional self-regulation, it must also suggest which legal status it believes should be granted. In this respect, the results of the preceding study are useful.

The conclusions of this study do indeed demonstrate that holding the exclusive right to practise a profession has a positive influence on the activity level of a corporation with regard to the protection of the public, provided that this corporation normally possesses the following characteristics: that it be predominantly composed of members in private practice, that it operate in a sector of activity where the clientele is mainly composed of individuals, that it possess considerable financial resources and that it have a relatively large membership. When these characteristics are absent, the corporations which hold the exclusive right to practise a profession do not generally reach a higher activity level with regard to the protection of the public than do corporations which only have a reserve of title.

These results could doubtlessly justify that in general l'Office recommend that the exclusive right to practise be granted to groups which would meet all the prerequisites for acquiring professional self-regulation. Yet l'Office hesitates to adopt such a course blindly since the exclusive right to practise mechanism, far from being a panacea, entails several major inconveniences. Indeed, granting a field of practice only to the members of a profession gives them complete control over the market and the resulting disadvantages to the public are obvious as with any monopoly.

(55) See page 12, Table 1.

In addition, the mechanism of exclusive right to practise causes ever-increasing difficulties of application, due to the fact that new professions are constantly emerging within fields of knowledge occupied by only one corporation. Such a situation leads to friction between the groups involved — whether between the professional corporations themselves, or between some corporations and other professions not established as professional corporation — and at times creates insurmountable difficulties when it comes to defining the fields of practice of each profession or corporation.

In the opinion of l'Office, these problems can only grow in the future: first, in fields of related activity, between professions or corporations, which fear reciprocal encroachment, and then, in the same field of activity, between professions or corporations with different levels of education.

Examples of these difficulties abound: the relationship between the legal and the accounting professions is not smooth with regard to tax matters; the relationship between agrologists, forestry engineers and chartered appraisers is strained when it is a question of evaluating wooded and agricultural land; architects and engineers, lawyers and notaries have difficulty in determining the boundaries of their respective fields of activity. Within the same field of knowledge, the areas of dental and eye care, for example, are both characterized by repeated clashes between the corporations whose members have a university education and those corporations or professions whose members have a CEGEP education.

In this context when the advantages of the exclusive right to practise with regard to protecting the public may be contrasted with the disadvantages, caused in particular by the increasingly close association between fields of knowledge and to the control of the market it allows, l'Office believes that the most realistic position is to assess for each group involved whether, on the level of public protection, the advantages of a monopoly of practice outweigh the potential disadvantages in other respects. Each group must obviously be assessed individually, taking into account the particular context in which its members practise.

Thus, only after weighing the pros and cons of granting a field of exclusive practice for each sector concerned, will l'Office propose the legal status to be accorded those corporations whose establishment will be recommended. More specifically, l'Office intends to propose to the Government that it grant exclusive right to practise to members of a corporation only when the particular conditions of professional practice guarantee that this mechanism will be capable of offsetting the economic and social disadvantages and difficulties inherent in its application.

Because of the current evolution in work activities, it can henceforth be stated that these situations will be few and far between. As fields of knowledge are divided and as technical training increases within these segmented fields, it may be foreseen that the exclusive right to practise mechanism runs the risk of generally being more of a disadvantage than an advantage.

Therefore, without presupposing the decisions it will have to take in each separate case, l'Office anticipates that the protection of the public will, in future, be ensured most often by identifying the people offering guarantees of competence in a specific sector, by means of a reserve of title recognized by the public at large. Thus informed, each client will be free to choose the person he considers qualified to provide the services most fitting to his needs. To the extent that a professional corporation can prove that it groups together the people most likely to offer quality services, the reserve of title it will confer on its members will have a recognized market value.

While acknowledging some of the advantages of the exclusive right to practise with regard to the protection of the public, this policy of l'Office, which places its confidence primarily in the future of the reserve of title mechanism, leads it to consider the specific problem of existing professional corporations with reserve of title.

B — The particular situation of existing professional corporations with reserve of title

Several of the 17 professional corporations with reserve of title which now exist under the *Professional Code* have requested to be changed to corporations with exclusive right to practise. Despite the difficulties arising from the use of the exclusive right to practise in the areas where it has been granted to professionals, these corporations with reserve of title currently believe that it is impossible for them to perform efficiently their role in protecting the public, since they are not in a position to supervise all those who practise the profession.

L'Office does not share this view. It finds it difficult to recommend that the mechanism of exclusive right to practise be extended in this way, taking into account the consequences which granting a monopoly of practice entails. L'Office believes rather that the reserve of title mechanism may often be the most satisfactory method of controlling professional activities, and that it will prove even more satisfactory in the future.

Thus, for the large majority of corporations with reserve of title recognized under the *Professional Code*, l'Office believes the only possible legal status which may be given to them is that of the reserve of title. Indeed, most of these corporations do not possess the characteristics connected with professional practice which are likely to favour a higher activity level with regard to the protection of the public. More especially, the great majority of their members are not engaged in private practice but are salaried employees of either private companies or public organizations. L'Office does not therefore believe that simply granting these corporations the exclusive right to practise would appreciably promote their activity with regard to protecting the public.

Moreover, even assuming that some of the corporations possess all the necessary characteristics, l'Office does not think that it would be necessarily appropriate in these cases, after weighing the advantages and disadvantages, to separate in this way professions whose fields of activity are complementary. Indeed, in the case of most

existing corporations with reserve of title, it seems obvious that granting them the exclusive right to practise would give rise to serious problems of application, mainly because of the close relationship between the fields of knowledge which, in addition, correspond to different levels of education.

For example, in the field of human relations, it seems hardly possible to define in precise terms the respective professional acts of members of the Corporation of Vocational Guidance Counsellors, the Corporation of Psychologists and the Corporation of Social Workers, all of whom have a university education. Also in this area are a certain number of professions which are not established as corporations but whose members possess a similar type and level of education, for example, in criminology, remedial teaching, educational psychology, exceptional child psychology, sexology, etc., or possess a CEGEP education as in the case of social workers.

In the area of rehabilitation, the same difficulty exists in specifying the fields of practice: occupational therapists and physiotherapists both work in related fields and have a university education, whereas physical rehabilitation technicians, who have a CEGEP education, also work in the same field and with the same clients as the physiotherapists.

It would indeed be particularly difficult to close fields of activity which are highly complementary and interdependent. Even the relatively independent fields of activity, already occupied by corporations with exclusive right to practise, are becoming segmented as new techniques emerge. The tendency of each corporation to extend its field of practice even more would give rise to interprofessional conflicts, and would use up energy and resources which could otherwise be spent on supervising the quality of practice of the members.

L'Office believes that the difficulties, complained about by corporations with reserve of title in performing their role, are not primarily due to the fact that their members only have the right to a professional title. These difficulties result rather from the drastic changes which have occurred in conditions of professional practice, and are characterized, as examined earlier, by a greater number of skilled, salaried people in the labour force, the division of fields of knowledge and Government intervention in supplying essential services.

In addition to struggling with these basic problems, most corporations with reserve of title are also fighting the fact that they do not have the necessary resources to perform their tasks efficiently. According to l'Office, the best way to correct this situation would be to regroup corporations with reserve of title operating in the same field of activity or in related fields. Such a regrouping would provide these corporations with both the human and financial resources necessary to perform their activities in protecting the public, and allow them to work in an atmosphere of co-operation rather than of distrust. It would also lessen the risk of public confusion as to the respective fields of competence of members of these corporations.

Examples of possible regrouping can be drawn from the field of human relations — psychologists and vocational guidance counsellors — and from the field of accounting

— certified general accountants and registered industrial accountants. In the latter case, a joint task force, which includes the Corporation of Chartered Accountants, has already been set up by l'Office to study possible solutions to this question. Similar task forces will soon be established in certain other sectors.

With regard to the more fundamental problems resulting from these upheavals in the conditions of professional practice, l'Office intends to study them closely. L'Office, in particular, will look into the feasibility of adapting professional corporatism — a self-regulation mechanism originally envisaged for independent service providers — to those employed by companies, organizations or institutions, who are subject to a structured, hierarchical control of their work.

C — The adaptation of professional corporatism to companies and institutions

It is evident to l'Office that professional corporatism will be challenged by private companies as well as by public organizations and institutions in the immediate future. Though the problems of adapting professional corporatism to these environments are felt particularly keenly by corporations whose members are primarily salaried employees, they must not, however, be neglected by corporations which have a majority of their members in private practice. Indeed, most of the latter have a certain proportion of members employed by companies or institutions, a proportion which will inevitably grow with the evolution in the conditions of work.

This problem is thus of immediate concern to almost all corporations with reserve of title as well as to a large number of corporations with exclusive right to practise. Consequently l'Office, anxious to enforce a law which imposes the same obligations on all professional corporations whatever the work situation of their members, will do all in its power to help professional corporatism to adapt to the salaried environments, particularly by ensuring the consolidation of professional reform: opening up professional corporations to the public through the increased participation of directors named by l'Office; improving the quality of the services offered by corporation members by periodically reviewing their competence, by maintaining a strict disciplinary procedure and by exercising appropriate control of the new legislation. Consolidating professional reform in this way may greatly alter the activity of public protection of the professional corporations, particularly those composed for the most part of members employed by companies, organizations or institutions.

In the same vein, when a professional corporation with exclusive right to practise must delegate to non-members professional acts which are usually performed by its members, l'Office will recommend that such authorization be given to members of other professional corporations, particularly to those with reserve of title when such exist in the sectors of activity involved, rather than to people who are not members of a professional corporation. In this way, l'Office seeks to ensure that the people performing these acts remain subject to the procedures of discipline and inspection of competence to be carried out by the professional corporations.

Moreover, the interest which l'Office has in implementing the new professional legislation, especially with regard to professional titles and the application of disciplinary and professional inspection procedures in salaried environments, will be made concrete in a number of studies which it is now carrying out or which have been commissioned. One of the first, which has just been published, deals with the civil and penal liability of an employer resulting from the violation of professional laws[56]. It examines the employer's liability in the three following situations: 1) when one of his employees practises a profession illegally or appropriates a reserved title; 2) when the employer, in a job description, uses a professional title or describes reserved duties without insisting that the candidates belong to the relevant professional corporation; 3) when the employer assigns a reserve of title to an employee who is not a member of the professional corporation concerned.

A second study, this time undertaken by l'Office, will soon be published. This looks at the position of the Quebec or federal civil servant, who is a member of a professional corporation, faced with the professional inspection and disciplinary mechanisms envisaged under the *Professional Code*. This study considers, in particular, how the *Professional Code* applies to the Crown and to professionals employed by the Crown.

A third study which has the objective of determining the significance and effectiveness of the principles of professional ethics with respect to protecting those using professional services, has been entrusted to the "Institut supérieur des sciences humaines de l'Université Laval". Furthermore, l'Office has recently set up a task force to examine a specific aspect of this subject which is of great interest to salaried professionals. The mandate of this committee is to determine the role of the corporations with regard to professional ethics when conflicts of work occur.

When these studies are completed, l'Office intends to recommend, if need be, legislative amendments aimed at allowing the corporations to assume an effective role in salaried environments, taking into account the respective jurisdictions of employers and unions. In the areas especially associated with private enterprise, l'Office intends to study the possibility of the professional corporations concerned intervening with their members on such crucial matters as the quality of the products and services offered by the company, the protection of the environment and employee safety.

Such interventions by professional corporations in the salaried environments will be more likely to succeed if a degree of co-operation is obtained from the employers and the unions. This is the greatest challenge facing professionalism, and the greatest obstacle to its adapting to present conditions of work. If the employers and unions do not co-operate, it will be more difficult to ensure that the contemplated mechanisms of professional inspection and discipline in these areas will be effective.

If the efforts to adapt professional corporatism to the salaried environments prove successful and if real progress were seen in this direction, l'Office could then re-assess, on behalf of the groups seeking professional self-regulation, whether the

(56) BAUDOUIN, J.-L., "La responsabilité civile et pénale de l'employeur résultant de la violation des lois professionnelles", (1976), 36, *Revue du Barreau du Québec*, 175.

condition relating to private practice was still essential. However, should the opposite occur, l'Office would be led to retain this requirement and even to re-examine the principle of self-regulation for some existing corporations, for those with reserve of title as well as for those with exclusive right to practise.

* * *

With the intention of clearly defining its policy on the development of professionalism and of being in a position to implement it in the most appropriate way, l'Office would like to receive comments from all the areas involved. This policy may be summed up as follows.

L'Office intends to recommend to the Quebec Government that new professional corporations be established only in situations where the groups concerned possess the following characteristics:

1° pertaining to the conditions of professional practice: a large proportion of the members in private practice; the clientele of members composed predominantly of individuals; and a relatively extensive field of knowledge;

2° pertaining to the operating conditions of the group: a sufficiently large annual income and membership to guarantee the autonomous practice of an activity related to the protection of the public.

In these situations, l'Office will generally favour the establishment of corporations with reserve of title because of the disadvantages which result from the granting of exclusive right to practise a profession.

Groups which possess the characteristics relating to the conditions of professional practice but not those relating to the operating conditions of a corporation, will be directed towards adopting another form of control. A case in point is the Acupuncture Association of Quebec. The same will apply to groups whose members are engaged in private practice and who have an individual clientele but who do not work in an extensive field of knowledge, if they are likely to cause serious harm to the public due to the nature of the acts they perform.

In addition, l'Office will wait until professional corporatism is better adapted to companies, organizations and institutions before recommending that new professional corporations be established in these sectors.

Finally, with regard to the large majority of corporations with reserve of title, l'Office has no intention of recommending that they be made corporations with exclusive right to practise. L'Office will, nevertheless, encourage the regrouping of some of these corporations which do not at present have the necessary human and financial resources to perform their tasks of protecting the public efficiently, or whose fields of activity are complementary and interdependent.

APPENDIX 1

Selective Bibliography of Major Research on the Professions

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APPENDIX 2

The Division of the Corporations into Two Groups According to their Characteristics and their Level of Activity

The similarity, or dissimilarity, between the corporations rests, for example, on whether they hold exclusive right to practise or a reserve of title, whether they have a larger or smaller membership, or a higher or lower level of activity. Each corporation may therefore be placed in one and only one of the two opposing categories corresponding to each given characteristic.

By establishing two separate groups with regard to each characteristic and in terms of the activity level of the corporations, the corporations can be compared simply by taking into account whether they belong to one or other of the two typical categories, regardless of their individual differences. It is then possible to verify whether the difference in the activity level observed between two groups of corporations can be attributed to the fact that they differ with respect to a particular characteristic.

Such a division of an aggregate, with regard to a given characteristic, into two mutually exclusive categories, namely, into two separate sub-units, is known as a dichotomy. In order to describe this accurately, this division must not be established in arbitrary fashion, but by using a particular value of the characteristic or variable as the dividing point, which is such that the two sub-units are as alike as possible. This dividing point may be determined "naturally" or logically, by using different "measures of central tendency" such as the mode, the mean or the median*, or simply by observing the distribution of data.

1. "Natural" dichotomies

Some characteristics can, by nature, only determine two mutually exclusive categories. Such characteristics are therefore "naturally", or at least obviously, dichotomous. All the parts of the aggregate are classified according to one or other of the two possible categories.

On the characteristics examined in this study, only the "legal status" characteristic is of this type. All the corporations may be placed in the category of either a corporation with exclusive right of practice or a corporation with reserve of title.

2. Logical dichotomies

Some divisions may appear logical, though these are not the only division possible. To be sure, the logic of a division may be arguable but it is all the more credible when backed by a consensus. Thus it is generally recognized that a university degree introduces a difference, which is as much one of nature as of degree, in the level of education.

*The different "measures of central tendency" are described clearly and comprehensively in MUELLER, J. H., SCHUESSLER, K. F. and COSTNER, H. L., *Statistical Reasoning in Sociology*, Second Printing, Boston, Houghton Mifflin Company, 1961, chap. 5.

Based on a division of this kind, differentiations were made between corporations with more than 50% male members from those with more than 50% female members; corporations whose members have a primarily individual clientele from those whose members have a primarily collective clientele; and finally, corporations which require their members to have a university education from those which do not require a university education.

3. Dichotomies according to the median

Unlike the characteristics listed above, which can be divided into two groups according to a "natural" or logical distinction, the dichotomy established with regard to characteristics expressed in numerical data can be effected by means of different measures of central tendency. The only one of these measures used was the median, i.e., the numerical value of a characteristic or variable which divides an aggregate into two groups of equal size, one composed of elements where the value of the variable is lower than the median and the other of elements where the value is higher.

The corporations were divided into two groups according to the median for the following characteristics, membership of the corporation (±1,100), annual income of the corporation (±$150,000), average age of corporation members (±39 years of age) and the concentration of corporation members in and around Montreal and Quebec (±80%). With regard to the activity level of the corporations as a whole, the median is at approximately level 1 (more precisely 0.7). Thus, by separating the 16 corporations with activity level of 0 and 1 from the 13 corporations with activity level of 2, 3 and 4, two groups of almost equal size are obtained.

4. Dichotomies obtained by observing the distribution of data

The corporations can be separated into two groups simply by noting how they split up, or divide, with respect to the various characteristics.

For example, when the corporations are arranged according to whether they have a higher or lower percentage of their members in private practice, it is seen that no corporation has between 15% and 35% of its members in private practice. It immediately seems appropriate to divide the corporations according to this distinction. In the same way, taking into account the fact that a first group of corporation was incorporated before 1922 — at least 54 years ago — and a second group after 1939 — at most 36 years ago — the corporations were divided into two groups with respect to these two dates.

For these last two characteristics, such a division is particularly relevant for the purpose of this analysis since the groups thus formed are of approximately the same size, which is also the case when they are divided according to the median.

APPENDIX 3

Research Methods

Information on the professional corporations was obtained for the most part by means of research methods prepared specifically for this study. These consisted of two standard interviews and two questionnaires.

In addition to these two methods, by means of which information was obtained directly from the corporations, l'Office referred to annual reports, financial statements and corporation publications for the years 1974/1975. Interviews by l'Office with employers and unions on the subject of a study on the continuing education of professionals, proved a useful reference source as well. The "Questionnaire relating to a request for incorporation as professional corporations" was also used to obtain information on the groups which submitted a request for recognition under the *Professional Code* to l'Office.

1. The standard interviews

The standard interviews dealt with various aspects of the activities of a corporation and of the professional practice of its members. These included: nature of the clientele served by the corporation members, information provided by the corporation to the regular clientele of its members, competition between members of the same corporation or of other corporations whose fields of practice are related, interprofessional relations, relations between corporation and employers, defining the fields of practice, standards of practice, team work, professional obligation to secrecy, professional discipline, professional education, conditions of admission to practise, continuing education, relations between corporations and unions, financial resources of the corporation, etc.

With the aim of adapting the interviews to the respective situations of corporations with exclusive right to practise and corporations with reserve of title, two slightly different standard interviews were used.

1.1. Standard interview for corporations with exclusive right to practise

1.* What category of clients generally have recourse to the services offered by those practising your profession (individual, groups, organizations)?

Can you provide a specific percentage (%) breakdown?

Does this breakdown vary with time?

What are the current trends?

*Questions marked with an asterisk were not put to all corporations since the reply was obvious in some cases and, in others, the question did not apply.

2. How is information provided to the client, and by what means?

   Does the professional himself organize this information?

   Does the Corporation organize on its own, or has it organized in the past, specific methods for informing the client?

   Describe these methods.

3. Would the client be in a position to assess the professional service immediately if he had adequate information prepared by the Corporation?

   If the answer is yes, can you give some examples?

   If the answer is no, why not?

4. * Of the cases seen daily by the professionals in your field, how many would cause serious harm to the client, as a result of an error or professional dishonesty?

5. * Are there some areas where keen competition is evident between the members of your profession?

   Which?

   To what is this competition due?

   What are the advantages and disadvantages?

6. In what areas do you have occasion to co-operate with other professions, or other associations?

   Who initiates this co-operation?

7. Are there any areas in which you are dependent on the decisions of other professionals?

   Which, and how?

8. Do any disagreements arise in determining the fields of practice?

   Which are the professions involved?

   Are you affected by the question of delegating professional acts?

9. * Do the organizations, institutions or companies which employ professionals in your field of activity sometimes hold different views from yours regarding the organization of the professional activity?

   How do these views differ?

   What kind of solutions are there?

10. * Is it possible for the professional to be faced with a conflict of interest caused by his obligations to his employer and his adherence to the professional code of ethics?

    How?

11. How do the organizations, institutions or companies which employ professionals assess the competence of these professionals?

    Does their method of assessing the professionals differ from yours?

    Are you sometimes at variance with these institutions, in this respect?

12. Has the Corporation had to draw up many standards of practice, for example, with regard to keeping files, books, offices?

    What are its aims in adopting such regulations? (To lower costs, facilitate control, standardize practices, etc.)

    Are these regulations of a kind to restrict the professional's freedom of initiative?

    Do conflicts at times arise in this respect between the Corporation and the professionals?

    Do the conditions of practice of the professional activity evolve quickly enough to prompt the Corporation to form new standards of practice?

    Or, where need be, are stimulative measures sufficient to adapt the professional activity to the changing conditions of practice?

    What are these measures?

13. When professional colleagues work in the same office, how is the work divided: does each have his own clients, or do they work together on the same files?

14. When working as a team, are all the members of the team in contact with the clients?

    Are these contacts regular or occasional?

15. Do all the team members (assistants, colleagues, other professionals) have access to the client's files?

    (If not, do they have access to part of the files, or to the complete file of some clients?)

16. Does free access to the information contained in confidential files endanger the professional obligation to secrecy?

17. On the other hand, does the professional obligations to secrecy hinder the circulation of information in accomplishing professional tasks?

18. Does your Corporation have a definition of the professional obligation to secrecy and of the confidentiality of information with which these professionals must acquaint themselves?

    Are there specific criteria for a precise definition of "confidential" and "non-confidential"?

    Do organizations respect your criteria?

    Have you received any complaints that the professional obligation to secrecy was violated?

    How many?

    How did you handle them?

19. Apart from the violation of the professional obligation to secrecy, do you often receive complaints from dissatisfied clients?

What are the generally alleged reasons?

To what extent are they justified?

20. How many complaints were received or instituted this year by the syndic?

How many were rejected?

How many of the remaining complaints ended in acquittals?

In this regard, could you provide a comparative chart for the years 1965 to 1973?

21. Are there any refresher or training programs for members?

What are they? (Number, duration, specialty)

Who organized them: the Corporation? Teaching institutions? Information producing centres? Jointly?

Did courses or programs of this kind exist before the *Professional Code* (Bill 250) was passed?

22. What are the methods regularly used by the Corporation for advising its members of:

a) scientific innovations relating to the organization of the professional activity?

b) the findings of scientific research?

c) professional employment opportunities?

d) the work of the Corporation?

23. Has the Corporation established contact with teaching institutions to determine:

a) the diplomas leading to a licence for professional practice?

b) which diplomas may be considered equivalent?

c) additional requirements set by the Corporation?
Which? Why?

d) the likelihood of the job market being able to absorb new graduates?

Have any agreements already been reached on these questions?

24. Has your Corporation established a procedure or set equivalent standards for degrees given by teaching institutions outside of Quebec?

Which are the institutions involved?

25. Do you have a union representing the socio-economic interests of people practising your profession?

Does the union represent all the members of your Corporation, or only some?

If you do not have a union, how are the interests of your members protected?

26. Does your Corporation have any ties with a sister association, either Canadian or American?

If yes, what do you gain from such an association:

a) standards of professional practice?

b) common pool of examination questions?

c) information of a scientific or technical nature?

d) social activities?

27. Do you have sufficient financial resources to meet the obligations of the *Professional Code*?

Does the application of the *Professional Code* cause you any other difficulties?

28.* Does the professional have to invest capital in order to be able to practise his profession?

If not, who makes these investments?

29.* Of what nature are these investments? (Setting up an office, office furniture, etc.)

30.* Does the professional invest mainly his own or borrowed capital?

Interest charges amount to what percentage (%) of the operating costs?

31.* Does the professional use technical equipment?

If yes, does he often have to renew this equipment?

Why?

32.* Is this equipment provided free of charge by organizations, institutions or companies on which he is not dependent, or does he have to obtain it himself?

33. Do only the professionals use this equipment, or do they need the help of one or several assistants?

Is the technical work on the whole entrusted to the assistants alone?
Or to other specialists?

34. Do the costs of practice tend to increase or do they remain stable?

35. What factors influence, either directly or indirectly, this tendency?

36. Can the Corporation bring influence to bear on the costs of the professional activity?

How effective is it?

Examples?

37. Which of your professional activities are or have to be concentrated in the large urban centres?

Which on the other hand, can (or even should) be decentralized, regionalized?

Why?

Does the Corporation have any influence in this regard?

Has it in fact intervened actively, and how?

38. Have any economic studies been done — either by the Corporation or other organizations — on the costs of professional activity in your field?

If yes, can they be obtained?

Additional Questions:

39. What is your opinion on the professional reform (the *Professional Code*) effected in Quebec since July, 1973?

Do you have any complaints?

Have you derived any advantage from it?

40. What is your prediction on the future of your profession during the next five years?

41. How should professionalism develop in Quebec over the next five years?

In the long run?

42. If a significant increase in the number of professions were considered necessary in Quebec, do you think it would be better for the protection of the public to increase the monopolies of practice, and to unconditionally grant professional self-regulation to the groups concerned?

1.2 Standard interview for corporations with reserve of title

1. How do you explain the difference between the number of members in your Corporation and the total number of eligible people?

How do you react to this situation?

2. In which of the following categories do qualified people in your profession, who are not members of your Corporation, belong:

a) organizations, institutions or companies?

b) salaried employees of members of your Corporation?

c) self-employed?

What are their main activities?

Are some of their activities in competition with yours?

3. What concrete advantages does the qualified person gain from belonging to your Corporation?

What is demanded of him in return? (Membership fees, obligations, etc.)

4. Since Bill 250, the *Professional Code*, was passed, have there been many resignations?

   How many?

5. Do you have sufficient financial resources to meet the obligations of the *Professional Code*?*

   Does the application of the Code cause you any other difficulties?

6. Have you noticed instances of your professional title being used illegally?

   Are there many such instances?

   In what areas do they occur?

   Have you taken any action to deal with these cases?

   What results did you obtain?

7. Are there some areas where keen competition is evident between the members of your profession?*

   Which?

   To what is this competition due?

   What are the advantages and disadva[illegible]es?

8. In what areas do you have occasion to co-operate with other professions, or other associations?*

   Who initiates this co-operation?

9. Are there any areas in which you are dependent on the decisions of other professionals?*

   Which, and how?

10. Do any disagreements arise in determining the fields of practice?*

    Which are the professions involved?

    Are you affected by the question of delegating professional acts?

11. Do the organizations, institutions or companies which employ professionals in your field of activity sometimes hold different views from yours regarding the organization of the professional activity?*

    How do these views differ?

    What kind of solutions are there?

12. Is it possible for the professional to be faced with a conflict of interest caused by his obligation to his employer and his adherence to a professional code of ethics?*

    How?

*Questions followed by an asterisk are identical to those in the standard interview used for the corporations with exclusive right to practise.

13. How do the organizations, institutions or companies which employ professionals assess the competence of these professionals?*

    Does their method of assessing the professionals differ from yours?

    Are you sometimes at variance with these institutions, in this regard?

14. Do you have a union representing the socio-economic interests of people practising your profession?*

    Does the union represent all the members of your Corporation, or only some?

    If you do not have a union, how are the interests of your members protected?

15. Does your Corporation have any ties with a sister association, either Canadian or American?*

    If yes, what do you gain from such an association:

    a) standards of professional practice?

    b) common pool of examination questions?

    c) information of a scientific or technical nature?

    d) social activities?

16. Can individuals who are not members of your Corporation operate in your field of activity, without endangering the public?

17. What category of clients generally have recourse to the services offered by those practising your profession (individual, groups, organizations)?*

    Can you provide a specific percentage (%) breakdown?

    Does this breakdown vary with time?

    What are the current trends?

18. Can a definition of professional acts be provided which could lead to your field of activities becoming closed?

19. Of the cases seen daily by the professionals in your field, how many would cause serious harm to the clients as a result of an error or professional dishonesty?*

20. When professional colleagues work in the same office, how is the work divided: does each have his own clients, or do they work together on the same files?*

21. When working as a team, are all the members of the team in contact with the clients?*

    Are these contacts regular or occasional?

22. Do all the team members (assistants, colleagues, other professionals have access to the clients' files?*

(If not, do they have access to part of the files, or to the complete file of some clients?)

23. Does free access to the information contained in confidential files endanger the professional obligation to secrecy?*

24. On the other hand, does the professional obligation to secrecy hinder the circulation of information in accomplishing professional tasks?*

25. Does your Corporation have a definition of the professional obligation to secrecy and of the confidentiality of information with which these professionals must acquaint themselves?*

Are there specific criteria for a precise definition of "confidential" and "non-confidential"?

Do organizations respect your criteria?

Have you received any complaints that the professional obligation to secrecy was violated?

How many?

How did you handle them?

26. Apart from the violation of the professional obligation to secrecy, do you often receive complaints from dissatisfied clients?*

What are the generally alleged reasons?

To what extent are they justified?

27. Does your Corporation have a disciplinary committee which has been in existence for a long time?

How many complaints were received or instituted this year by the syndic?*

How many were rejected?

How many of the remaining complaints ended in acquittals?

In this regard, could you provide a comparative chart for the years 1965 to 1973?

28. Are there any refresher or training programs for members?*

What are they? (Number, duration, specialty.)

Who organizes them: the Corporation? Teaching institutions? Information producing centres? Jointly?

Did courses or programs of this kind exist before the *Professional Code* (Bill 250) was passed?

29. Has the Corporation had to draw up many standards of practice, for example, with regard to keeping files, books, offices?*

What are its aims in adopting such regulations? (To lower costs, facilitate control, standardize practices, etc.)

Are these regulations of a kind to restrict the professional's freedom of initiative?

Do conflicts at times arise in this respect between the Corporation and the professionals?

Do the conditions of practice of the professional activity evolve quickly enough to prompt the Corporation to form new standards of practice?

Or, where need be, are stimulative measures sufficient to adapt the professional activity to the changing conditions of practice?

What are these measures?

30. What are the methods regularly used by the Corporation for advising its members of:*

a) scientific innovations relating to the organization of the professional activity?

b) the findings of scientific research?

c) professional employment opportunities?

d) the work of the Corporation?

31. Has the Corporation established contact with teaching institutions to determine:*

a) the diplomas leading to a licence for professional practice?

b) which diplomas may be considered equivalent?

c) additional requirements set by the Corporation?
Which? Why?

d) the likelihood of the job market being able to absorb new graduates?

Have any agreements already been reached on these questions?

32. Has your Corporation established a procedure or set equivalent standards for degrees given by teaching institutions outside of Quebec?*

Which are the institutions involved?

33. How is information provided to the client, and by what means?*

Does the professional himself organize this information?

Does the Corporation organize on its own, or has it organized in the past, specific methods for informing the client?

Describe these methods.

34. Would the client be in a position to assess the professional service immediately if he had adequate information prepared by the Corporation?*

If yes, can you give some examples?

If not, why not?

35. Does the professional have to invest capital in order to be able to practise his profession?*

If not, who makes these investments?

36. Of what nature are these investments?* (Setting up an office, office furniture, etc.)

37. Does the professional invest mainly his own or borrowed capital?*

Interest charges amount to what percentage (%) of the operating costs?

38. Does the professional use technical equipment?*

If yes, does he often have to replace this equipment?

Why?

39. Is this equipment provided free of charge by organizations, institutions or companies on which he is not dependent, or does he have to obtain it himself?*

40. Do only the professionals use this equipment, or do they need the help of one or several assistants?*

Is the technical work on the whole entrusted to the assistants alone? or to other specialists?*

41. Do the costs of practice tend to increase or do they remain stable?*

42. What factors influence, either directly or indirectly, this tendency?*

43. Can the Corporation bring influence to bear on the costs of the professional activity?*

How effective is it?

Examples?

44. Which of your professional activities are or have to be concentrated in the large urban centres?*

Which, on the other hand, can (or even should) be decentralized, regionalized?

Why?

Does the Corporation have any influence in this regard?

Has it in fact intervened actively, and how?

45. Have any economic studies been done — either by the Corporation or other organizations — on the costs of professional activity in your field?*

If yes, can they be obtained?

Additional Questions:

46. What is your opinion on the professional reform effected in Quebec since July, 1973?*
    Do you have any complaints?
    Have you derived any advantages from it?

47. What is your prediction on the future of your profession during the next five years?*

48. How should professionalism develop in Quebec over the next five years?*
    In the long run?

49. If a significant increase in the number of professions were considered necessary in Quebec, do you think it would be better for the protection of the public to increase the monopolies of practice, and to unconditionally grant professional self-regulation to the groups concerned?*

2. The questionnaires

When the representatives of the professional corporations were interviewed, they were given a first questionnaire regarding the basic characteristics of their organization. These characteristics included the number of members, breakdown of members by sex, age and area of practice, percentage of self-employed members, level of education, etc.

Since it was not possible during the interviews to go into sufficient detail on two specific questions — professional discipline and requests by immigrants for a licence to practise — a second questionnaire was sent to the corporations in order to obtain more precise information on these questions.

2.1 Questionnaire on the basic characteristics of professional corporations

1. How many professionals are there in your Corporation (or Association)?
(Indicate, if possible, figures for previous years.)

Year	Number
_____	_____
_____	_____
_____	_____

2. N.B. This question applies only to corporations with reserve of title.
Your members account for what proportion (%) of:
a) the number of eligible people?

_____

b) the total number of people practising an activity which is competitive to yours?

_____

3. What is the breakdown of male and female members in your Corporation (or Association)?

Male	Female	Year
_____	_____	_____
_____	_____	_____
_____	_____	_____

4. What is the breakdown by age of your members?

	Number	%
under 30	_____	_____
30-39	_____	_____
40-49	_____	_____
50-59	_____	_____
60 and over	_____	_____

(Year noted: _____)

5. What is the breakdown according to region where members of your Corporation (or Association) practise full-time?

	Number	%
1) Lower St. Lawrence — Gaspe Peninsula		
2) Saguenay — Lac St-Jean		
3) Quebec		
4) Trois-Rivieres		
5) Eastern Townships		
6) Montreal		
7) Ottawa Valley (Quebec)		
8) North-West		
9) North Shore		
10) New-Quebec		

(Year noted _____)

6. What is the minimum level of education required to practise your profession?

_____

a) Have all members obtained this level? If not, why not?

_____

_____

_____

_____

b) How many of your members have obtained additional diplomas?

_____

What are these diplomas?

_____

_____

_____

_____

c) How many have moved into a definite specialization?

_____

Which fields of specialization are most in demand?

_____

_____

_____

_____

_____

7. What is the percentage of your members working alone? (Single practice, without daily contact with other members of the profession, or with professionals from other fields working the same area of activity)

_____

8. Of the members of your profession who do not practise alone, what is the percentage of those working:

%

a) with assistants? _____

b) with colleagues in the same profession _____

c) with other professionals? _____

9. Indicate the number of members in your Corporation (or Association) who work:

a) in private practice, and self-employed?

_____

b) as salaried employees of other professionals?

_____

c) as salaried employees of an institution or company (public or private)?

_____

2.2 Questionnaire on disciplinary activities and immigration policies of professional corporations*

1. How many members sit on the following committees, and how often did they meet in 1974/75?

	Number of members	Number of sittings
Professional inspection	_____	_____
Arbitration of accounts	_____	_____
Discipline	_____	_____

2. How many complaints were brought against members of your Corporation:

	Requests for information and "verbal complaints" (approx. number)	Complaints (written)
a) by clients dissatisfied with the rates?	_____	_____
b) by clients, for breach of ethics, violation of a regulation or of the Code?	_____	_____
c) by other members of the Corporation?	_____	_____
d) by the syndic, on its own initiative?	_____	_____

3. How were the complaints in 2b) and 2c) settled?

	Number
a) They were found injustified by the syndic	_____
b) An agreement was reached between the professional and the complainant	_____
c) They were referred to the disciplinary committee	_____
d) They were settled by other means (specify)	_____

*Questions 1 to 5 relate to the financial year April 1974 to March 1975.

4. What were the penalties imposed on professionals found guilty by the disciplinary committee?

	Number
a) Reprimands	
b) Fine	
c) Temporary striking off the roll	
d) Permanent striking off the roll	
e) Revoking of licence	
f) Other(s) (specify)	

5. How have you instituted proceedings with regard to the illegal practice of the profession or unauthorized use of the reserved title:

a) by charlatans?	
b) by former members?	
c) by other professionals?	

6. a) How many requests from foreigners* seeking to practise in Québec did the Corporation study in:

1973/1974	1974/1975

b) How many of these requests:

	1973/1974	1974/1975
were accepted?		
were refused?		
are still in abeyance?		

c) How many foreigners were given authority to practise?

Temporary licence		
Permanent licence		

*"Foreigners" refers to "any person who, when he made his request to the Corporation a) lived outside of Quebec, and b) did not graduate from a Quebec teaching establishment".

Not included in this category are:

a) Canadian citizens living in Quebec, but who are graduates of teaching establishments outside Quebec.

b) Immigrants who have not yet obtained Canadian citizenship, but who are graduates of Quebec teaching establishments.

d) From what countries are these new members?

Country	Number

7. With what countries or provinces do you have an agreement regarding accepting their graduates?

_____

8. What conditions are imposed on people from outside of Quebec in order for them to obtain a licence to practise?

	Other provinces	United States	Other countries
Examination(s)			
Additional education			
Period(s) of training or internship			
Other(s) (specify)			

N.B. Indicate the appropriate answers by means of an "X" in the relevant section.

Completed on _____

by _____

_____
Signature

100

APPENDIX 4

Tables Showing Activities of the Corporations by Indicator, According to Certain Characteristics of each Corporation

Table 4.1
ACTIVITIES OF THE CORPORATIONS BY INDICATOR

Corporations		Client information	Discipline	Continuing education	Standards of practice	Professional journal or periodical	Admission to practice	Prosecution of unauthorized practitioners
Practising the activity:	Number	9/29	14/29	12/29	6/29	25/29	29/29	14/29
	Percentage	31%	48%	41%	21%	86%	100%	48%
Not practising the activity:	Number	20/29	15/29	17/29	23/29	4/29	0/29	15/29
	Percentage	69%	52%	59%	79%	14%	0%	52%

Table 4.2
ACTIVITIES OF THE CORPORATIONS BY INDICATOR, ACCORDING TO LEGAL STATUS

Legal status		Client information	Discipline	Continuing education	Standards of practice	Professional journal or periodical	Admission to practice	Prosecution of unauthorized practitioners
Exclusive practice:	Number	8/17	11/17	9/17	5/17	15/17	17/17	11/17
	Percentage	47%	65%	53%	29%	88%	100%	65%
Reserve of title:	Number	1/12	3/12	3/12	1/12	10/12	12/12	3/12
	Percentage	8%	25%	25%	8%	83%	100%	25%

Table 4.3
ACTIVITIES OF THE CORPORATIONS BY INDICATOR, ACCORDING TO MEMBERSHIP OF THE CORPORATION

Membership of the corporation		Client information	Discipline	Continuing education	Standards of practice	Professional journal or periodical	Admission to practice	Prosecution of unauthorized practitioners
1,100 and over:	Number	6/15	9/15	9/15	5/15	15/15	15/15	9/15
	Percentage	40%	60%	60%	33%	100%	100%	60%
Less than 1,100:	Number	3/14	5/14	3/14	1/14	10/14	14/14	5/14
	Percentage	21%	36%	21%	7%	71%	100%	36%

Table 4.4
ACTIVITIES OF THE CORPORATIONS BY INDICATOR, ACCORDING TO ANNUAL INCOME OF THE CORPORATION

Annual income of the corporation		Client information	Discipline	Continuing education	Standards of practice	Professional journal or periodical	Admission to practice	Prosecution of unauthorized practitioners
$150,000 and over:	Number	7/14	11/14	9/14	5/14	14/14	14/14	10/14
	Percentage	50%	79%	64%	36%	100%	100%	71%
Less than $150,000:	Number	2/15	3/15	3/15	1/15	11/15	15/15	4/15
	Percentage	13%	20%	20%	7%	73%	100%	27%

Table 4.5
ACTIVITIES OF THE CORPORATIONS BY INDICATOR, ACCORDING TO YEAR OF INCORPORATION

Year of incorporation		Client information	Discipline	Continuing education	Standards of practice	Professional journal or periodical	Admission to practice	Prosecution of unauthorized practitioners
Before 1922:	Number	8/13	11/13	9/13	5/13	13/13	13/13	9/13
	Percentage	62%	85%	69%	38%	100%	100%	69%
After 1939:	Number	1/16	3/16	3/16	1/16	12/16	16/16	5/16
	Percentage	6%	19%	19%	6%	75%	100%	31%

Table 4.6
ACTIVITIES OF THE CORPORATIONS BY INDICATOR, ACCORDING TO PROPORTION OF MEMBERS IN PRIVATE PRACTICE*

Proportion of members in private practice		Client information	Discipline	Continuing education	Standards of practice	Professional journal or periodical	Admission to practice	Prosecution of unauthorized practitioners
35% and over:	Number	6/13	10/13	8/13	5/13	11/13	13/13	7/13
	Percentage	46%	77%	62%	38%	85%	100%	54%
35% and less:	Number	3/15	4/15	4/15	1/15	14/15	15/15	7/15
	Percentage	20%	27%	27%	7%	93%	100%	47%

*Data available for only 28 of the 29 corporations studied.

Table 4.7
ACTIVITIES OF THE CORPORATIONS BY INDICATOR, ACCORDING TO CONCENTRATION OF MEMBERS IN MONTREAL AND QUEBEC REGIONS*

Concentration of members		Client information	Discipline	Continuing education	Standards of practice	Professional journal or periodical	Admission to practice	Prosecution of unauthorized practitioners
Over 80% in Montreal and Quebec Regions:	Number	4/14	5/14	5/14	2/14	10/14	14/14	3/14
	Percentage	29%	36%	36%	14%	71%	100%	21%
80% and less in Montreal and Quebec Regions:	Number	5/13	8/13	6/13	4/13	13/13	13/13	11/13
	Percentage	38%	62%	46%	31%	100%	100%	85%

*Data available for only 27 of the 29 corporations studied.

Table 4.8
ACTIVITIES OF THE CORPORATIONS BY INDICATOR, ACCORDING TO NATURE OF MEMBERS' CLIENTELE

Nature of members' clientele		Client information	Discipline	Continuing education	Standards of practice	Professional journal or periodical	Admission to practice	Prosecution of unauthorized practitioners
Primarily individual:	Number	7/16	10/16	9/16	3/16	14/16	16/16	8/16
	Percentage	44%	63%	56%	19%	88%	100%	50%
Primarily collective:	Number	2/13	4/13	3/13	3/13	11/13	13/13	6/13
	Percentage	15%	31%	23%	23%	85%	100%	46%

Table 4.9
ACTIVITIES OF THE CORPORATIONS BY INDICATOR, ACCORDING TO AVERAGE AGE OF MEMBERS*

Average age of corporation members		Client information	Discipline	Continuing education	Standards of practice	Professional journal or periodical	Admission to practice	Prosecution of unauthorized practitioners
Over 39:	Number	3/10	6/10	5/10	3/10	9/10	10/10	4/10
	Percentage	30%	60%	50%	30%	90%	100%	40%
39 or less:	Number	4/11	6/11	4/11	0/11	10/11	11/11	5/11
	Percentage	36%	55%	36%	0%	91%	100%	45%

*Data available for only 21 of the 29 corporations studied.

Table 4.10
ACTIVITIES OF THE CORPORATIONS BY INDICATOR, ACCORDING TO SEX OF MEMBERS*

Sex of members		Client information	Discipline	Continuing education	Standards of practice	Professional journal or periodical	Admission to practice	Prosecution of unauthorized practitioners
Predominantly male**:	Number	6/21	12/21	9/21	5/21	19/21	21/21	10/21
	Percentage	29%	57%	43%	24%	90%	100%	48%
Predominantly female**:	Number	2/5	1/5	2/5	0/5	5/5	5/5	2/5
	Percentage	40%	20%	40%	0%	100%	100%	40%

*Data available for only 26 of the 29 corporations studied.
**16 of the 21 male corporations have over 90% male members and 4 of the 5 female corporations have over 80% female members.

Table 4.11
ACTIVITIES OF THE CORPORATIONS BY INDICATOR, ACCORDING TO REQUIRED LEVEL OF EDUCATION*

Required level of education		Client information	Discipline	Continuing education	Standards of practice	Professional journal or periodical	Admission to practice	Prosecution of unauthorized practitioners
University:	Number	8/23	13/23	11/23	6/23	21/23	23/23	12/23
	Percentage	35%	57%	48%	26%	91%	100%	52%
Cegep or secondary:	Number	1/6	1/6	1/6	0/6	4/6	6/6	2/6
	Percentage	17%	17%	17%	0%	67%	100%	33%

*This variable does not take into account factors of additional education required by some corporations.

APPENDIX 5

The Probability that the Difference in the Level of Activity is significant

An initial analysis of the data provided by the corporations reveals that they do not all reach the same activity level regarding the protection of the public. In fact, 13 corporations show a "higher level" of activity and the other 16 a "lower level".

In order to go beyond this simple fact and to understand what may cause this difference in activity level, which is considered the dependent variable, it must be verified in both groups whether the corporations differ significantly from each other with regard to certain characteristics or to independent variables.

When, after the corporations have been divided into two groups in terms of a given characteristic, a difference in activity level is noted between them, this difference may be termed "significant" if it can be declared that it is not due to chance.

1. The effect of chance on the difference in activity level of the corporations

If a given characteristic does not influence the activity level of the corporations, as many corporations with a lower activity level as corporations with a higher level should theoretically be found in each of the two groups defined by this characteristic.

For instance, if the "legal status" characteristic is not relevant, it should be equally possible for corporations with reserve of title to obtain a higher activity level as for corporations with exclusive right to practise.

Therefore, under the influence of chance alone, as many corporations with reserve of title as corporations with exclusive right of practice should be found at each of the two activity level. This hypothesis of no difference is called a null hypothesis.

On the other hand, if a difference in activity level is noted between the two groups and if this difference is sufficiently great, it is doubtful that this is due to chance.

In order to be able to accept the research hypothesis, by virtue of which the difference in the observed activity level of the two groups is not due to chance but rather because they are divided in terms of a given characteristic, one must be in a position to reject the null hypothesis without incurring too great a risk of error.

2. Choosing a significance level so as to be able to state that an observed difference is not due to chance

There is always a certain risk of error when the null hypothesis is rejected. Indeed, the possibility always exists that a difference may be considered significant when in fact it is due to chance. The acceptable risk of error is known as the level of significance. This level, established à priori, will be higher or lower depending on the objectives of the study and on the consequences which might entail if it were asserted that the observed difference is not due to chance when in fact such is the case.

By convention, the significance level of .05 or .01 is generally retained for research in the social sciences. Within the scope of this study, the significance level has been set at .05. This means that a difference in activity level is regarded as significant when the probability that this difference may be due to chance, while the opposite is affirmed, is never more than 5 in 100.

3. The characteristics introducing significant differences according to the Fisher test

When the research data are distributed in 2 x 2 tables and when the total number of items observed is less than 30, as shown in table 5.1, the exact probability of obtaining the distribution of data as observed in these four cells rather than any other possible distribution can be calculated by means of the Fisher test*. When the probability of obtaining the observed distribution is at most 5 in 100, the influence of chance may be ignored and the observed difference in level between the two groups may be termed significant.

Table 5.1
DISTRIBUTION OF DATA IN A 2 x 2 CONTINGENCY TABLE

		Independent variable		
		Group I	Group II	
Dependent variable	+	A	B	A + B
	−	C	D	C + D
		A + C	B + D	Total: N<30

The probability of obtaining the given distribution is calculated by means of the formula:

$$\text{probability} = \frac{(A+B)!\ (C+D)!\ (A+C)!\ (B+D)!}{N!\ A!\ B!\ C!\ D!}$$

The following example, drawn from the study, serves to illustrate how it may be proved by using the Fisher test to what extent a relationship is significant.

*SIEGEL, Sydney, "The Fisher Exact Probability Test", in Non-Parametric Statistics, New York, McGraw-Hill, 1956, pp. 96-104.

Table 5.2
RELATIONSHIP PROBABLY DUE TO CHANCE

		Concentration of members in and around Montreal and Quebec		
		Over 80%	80% and less	
activity level	higher	5	7	12
	lower	9	6	15
		14	13	27

$$\text{probability} = \frac{12!\ 15!\ 14!\ 13!}{27!\ 5!\ 7!\ 9!\ 6!}$$

probability = 0.20

According to the Fisher test, there are 20 chances in 100 of finding one instance where the four sub-groups of corporations would be divided in exactly the same way as in table 5.2.

By applying the Fisher test to the observed relationships in this study, it may be stated that it is probably not by chance that the percentage of corporations showing a higher activity level is greater among corporations legally recognized before 1922; having an annual income of at least $150,000; 35% or more of their members in private practice and whose members have a clientele composed primarily of individuals. On the other hand, the difference in activity level introduced by the legal status, the number of members and the concentration of members in and around Montreal and Quebec, is held to be non-significant, using the significance level of .05, since the risks of error for these characteristics are, respectively, 6, 7 and 20 chances in 100.

APPENDIX 6

The Intensity of the Relationship Measured by the Standardized Cross-Product

The professional corporations reach different activity levels according to certain characteristics. Nevertheless, the difference introduced by each characteristic is not always equally systematic nor does it always have the same significance.

Once it has been established, by means of the Fisher statistic test, that the activity level of the corporations does not vary independently with certain characteristics — i.e., that it does not vary at random — it is important to know the degree of dependence of the variables concerned. It then becomes a question of measuring the strength or intensity of the relationships between the activity level, regarded as a dependent variable, and the characteristics of the corporation, regarded as independent variables.

The activity level of the corporations is all the more dependent on a given characteristic and the correlation between these two variables is all the stronger since the corporations with a higher activity level are systematically found in the group of corporations placed in one of the two categories of a particular characteristic, and since the corporations with a lower activity level are systematically found amongst the corporations in the other category.

1. Measuring the intensity of relationship observed*

There are several ways of measuring the degree of association between two factors or, in other words, of expressing the extent to which two variables vary together either systematically or otherwise. These measurements provide an indication regarding the intensity of each of the observed relationships, and from them it may also be determined which is the strongest relationship.

The easiest way of obtaining a good indication of the intensity of an association between two variables is without doubt to convert the observed differences into percentages and then compare these percentages. Although this measure is very useful and simple, it does at times lack accuracy when the percentages are obtained from too few observations.

The standardized cross-product (SCP) measure, however, has the advantages of not being overly influenced by the number of observations, of having a simple theoretical significance and, as revealed in appendix 7, of being especially useful in multivariate analysis. The intensity of relationships has been expressed in this report in percentage differences but, in each case, the accuracy of this measure has been controlled by the SCP.

*For a more detailed explanation of the measures of association which can be used with nominal and ordinal variables, see BLALOCK, Hubert, M., *Social Statistics*, New York, McGraw-Hill Book Company, 1960, pp. 225-233; ZELDITCH, Morris, *A Basic Course in Sociological Statistics*, New York, Henry Holt and Company, 1959, chap. 7, pp. 163-200.

Based on the principle of covariation, according to which a change in one variable may be associated with a change in the other variable, the SCP measures the variation which is common to both variables or, in other words, the way the variables vary together*. This measure is used especially with variables whose categories can be arranged in a specific order, either increasing or decreasing. As applied to this study, it can be verified, for example, whether or not a variation in the activity level is paralleled by a comparable variation in the number of members, the annual revenue, etc.

When two variables vary independently of one another, the standardized cross-product equals zero. On the other hand, the more two variables vary concurrently, the more the standardized cross-product moves towards 0.25. Finally, when two variables vary more or less independently of each other, the value of the standardized cross-product lies somewhere between 0 and 0.25. Consequently, the more the SCP value moves away from the minimum towards the maximum, the stronger the relationship is said to be.

The intensity of a given relationship between two variables, expressed by the standardized cross-product, is measured by the following formula:

$$SCP = \frac{A}{N} - \left(\frac{A+B}{N} \times \frac{A+C}{N}\right)$$

which, by different means of simplication, becomes:

$$SCP = \frac{AD - BC}{N^2}$$

and in which the letters represent the frequencies in the cells, as shown in the table opposite:

A	B	A + B
C	D	C + D
A + C	B + D	N

By taking as an example the relationship between the legal status and the activity level of the corporations, it can be seen how the "observed SCP" is calculated.

Table 6.1
INTENSITY OF OBSERVED RELATIONSHIP BETWEEN THE LEGAL STATUS AND THE ACTIVITY LEVEL OF THE CORPORATIONS

	Exclusive practice	Reserve of title	
higher level	10	3	13
lower level	7	9	16
	17	12	29

$$SCP = \frac{(10 \times 9) - (3 \times 7)}{29^2} = 0.082$$

SCP = .082

*LAZARSFELD, Paul, "L'algèbre des systèmes dichotomiques", in *L'analyse empirique de la causalité*, Paris, Mouton, 1966, pp. 255-275

The intensity of the observed relationship is 0.08. This is close enough to 0 and far enough from 0.25 to be termed a relatively weak intensity. By comparing the intensity of this relationship with the intensity of the other observed relationship, it should be possible to determine whether the activity level has a stronger or weaker association with the legal status than with the other characteristics of the corporations.

2. Comparing the intensity of observed relationships

The main usefulness of a measure of association is precisely that it enables a comparison to be made between the intensity of the observed relationships and all the variables taken two by two, so that the strongest association can be determined. However, before the variables expressing various intensities of observed relationships can be compared, they must all be reduced to the same limiting values*.

The relationships measured by the SCP always have an observable minimum value of zero. Therefore, whenever there is no difference in proportion, or percentage, the value of the SCP is zero which means that there is no association at all between the two variables.

Moreover, the "observable maximum SCP" does not always reach 0.25. It can reach its maximum value only when the two groups, formed by dividing an aggregate in terms of one variable, are of equal size. In all other instances, the maximum value which the SCP can reach is necessarily lower than the theoretic maximum of 0.25; the more unequal the size of the groups, the further the observable maximum moves away from the theoretic maximum.

Within this study, for the large majority of variables, the corporations were divided in such a way as to obtain more or less equal groups. Nevertheless, since these groups were not exactly the same size, the value of the observable maximum SCP was calculated for each relationship in such a way as to ensure that the comparison of their respective intensities was made with respect to a limiting value which was approximately equal.

The value of the observable maximum SCP is obtained by taking into account the difference in size between the two groups. By taking once again the example of the relationship between the legal status and the activity level of the corporations, it can be seen how the observable maximum SCP is calculated and used.

*The variability of limiting values of certain measures of association is discussed in MUELLER, J. H., and SCHUESSLER, K. F., *Statistical Reasoning in Sociology*, Boston, Houghton Mifflin Company, 1961, chap. 9 pp. 238-269.

Table 6.2
INTENSITY OF OBSERVED RELATIONSHIP AS COMPARED WITH THE MAXIMUM INTENSITY OF OBSERVABLE RELATIONSHIP BETWEEN THE LEGAL STATUS AND THE ACTIVITY LEVEL OF THE CORPORATIONS

(A)

	Exclusive practice	Reserve of title	
higher level	10	3	13
lower level	7	9	16
	17	12	29

$$SCP = \frac{(10 \times 9) - (3 \times 7)}{29^2}$$

Observed SCP = .082

(B)

	Exclusive practice	Reserve of title	
higher level	1	12	13
lower level	16	0	16
	17	12	29

$$SCP = \frac{(1 \times 0) - (12 \times 16)}{29^2}$$

observable maximum SCP = .230

The intensity of the observed relationship is .082 but, taking into account the unequal size of the two groups divided in terms of legal status (17-12) and of the two groups divided in terms of activity level (13-16), the maximum observable relationship between these two variables can not reach the theoretic value of 0.25.

The maximum observable relationship is obtained when the difference in activity level between the two groups of corporations is the greatest possible, taking into account the number of corporations in each group. In concrete terms, in order to obtain this maximum difference one only has to reduce to zero or as close as possible to zero the frequencies of two diagonal cells, without modifying the totals of the lines and the columns. In this case, the difference between the product of the numbers in the diagonal cells is the greatest possible.

By applying the SCP calculation formula to this hypothetical distribution of data, the value of the observable maximum SCP is determined. But his observable maximum varies with regard to the difference in size between the groups; the greater this difference, the farther it moves from the theoretic maximum of 0.25. In order to obtain the most exact comparison between the various intensities of relationship, it is therefore preferable not to compare the absolute value of the observed SCP but rather the proportion of the observable maximum which is represented by the observed SCP. This proportion expressed in terms of the theoretic maximum is the "adjusted SCP".*

3. Comparing the intensity of observed relationship between the activity level of the corporations and certain characteristics

The intensity of observed relationship between each of the characteristics retained as independent variables and the activity level of the corporations is variable. That is to say, some characteristics introduce more systematic and more significant differences into the activity level of all the corporations.

*adjusted SCP = $\frac{\text{(observed SCP)} \times \text{(theoretic maximum SCP)}}{\text{(observable maximum SCP)}}$

Table 6.3 reveals that it is possible to compare the intensity of relationships and to arrange them according to their respective intensities, expressed by the adjusted SCP. It is seen, for instance, that the activity level of corporations is more closely linked to the "year of incorporation" characteristic than to such characteristics as "number of members" and "legal status". The conclusion therefore is that, proportionately, corporations established before 1922 show a higher activity level much more frequently and systematically than do corporations which have 1,100 or more members, or which have exclusive right to practise.

Table 6.3
INTENSITY OF THE STATISTICAL RELATIONSHIP BETWEEN THE CHARACTERISTICS OF THE CORPORATIONS AND THEIR ACTIVITY LEVEL

Characteristics	observed SCP	observable maximum SCP	adjusted SCP
Concentration of members in Montreal and Quebec regions	.045	.230	.049
Number of members	.078	.232	.084
Legal status	.082	.230	.089
Nature of member's clientele	.098	.247	.099
% of members in private practice	.106	.249	.106
Annual income of corporation	.128	.232	.138
Year of incorporation	.144	.247	.146

*The values presented in this report are those of the adjusted SCP

The adjusted SCP does not measure the intensity of a relationship in absolute and precise terms, as does the observed SCP. It simply enables a comparison to be made between the intensity of relationships measured by the observed SCP. For all that, this comparison is valid when, on the one hand, these associations can reach observable maximum values which are more or less equal, and when, on the other hand, these values are not too far from the theoretic maximum of 0.25. From the second column in table 6.3, it can be seen that both these conditions are met for comparing the intensity of relationships existing between the activity level of the corporations and certain characteristics.

APPENDIX 7

The Use of Multivariate Analysis to explain the Level of Activity of the Corporations

Merely noting a significant statistical relationship between the activity level of corporations and one of their characteristics does not necessarily mean that a causal relationship can be said to exist between the two variables. For example, more professional corporations with exclusive right to practise, obtain a higher activity level than do those with reserve of title. From this simple statement, it cannot be concluded that a difference in activity level is caused by the legal status. In order to arrive at a causal explanation, it must be ascertained that the difference between the activity levels of the corporations is actually due to the characteristic under consideration and not to some other external variable. The multivariate analysis method* is used specifically to measure the influence of a third variable on the initial relationship. Multivariate analysis serves to pin down the conditions within which a relationship remains genuine or stable.

1. Procedure and effects of multivariate analysis

The variables are grouped by sets of three: the dependent variable which is the phenomenon being studied, the independent variable which is the apparent cause of the phenomenon, and the control variable, i.e. the element by means of which it can be verified whether the relationship between the independent variable and the dependent variable is always real and whether its intensity remains stable. With the intervention of a control variable, the initial relationship may be affected in three different ways.

First, the control variable has no influence on the initial relationship, which remains unchanged. Thus, until proved to the contrary, it may be assumed that the independent variable is the explanatory factor sought.

Secondly, the control variable nullifies the initial relationship. It may be deducted that this relationship is deceptive, i.e., that the relationship between the independent variable and the dependent variable is only an apparent association and that it is in fact the control variable which explains the phenomenon under consideration.

Finally, the control variable changes the initial relationship. The control variable thus specifies the conditions within which the independent variable influences the dependent variable.

*BOUDON, Raymond, *L'analyse mathématique des faits sociaux*, Paris, Plon, 1967, pp. 39-78; BOUDON, R., LAZARSFELD, P., *L'analyse empirique de la causalité*, Paris, Mouton, 1966, pp. 55-115; GAGNON, Nicole, *L'analyse causale*, Université Laval, Mimeographed annotations, pp. 20-48.

2. Examples of the effects produced by the intervention of a control variable

Each of the three possible patterns of a relationship, under the influence of a control variable, is illustrated by an example.

In the research on the level of activity of the corporations, some control variables did not have any perceptible effect on the relationship between a characteristic and the activity level. For instance, the geographic concentration of corporation members has little influence on the relationship between the percentage of members in private practice and the activity level of a corporation. If most of the corporation members are engaged in private practice, that corporation has a higher activity level, no matter what the geographic concentration of its members is in and around Montreal and Quebec.

Since no instance of a deceptive relationship, i.e. a relationship nullified by the effect of a third variable, could be found in this study, the classic example may be used of the association between the number of storks and the number of births in a district. It was indeed observed that more births occurred in localities which had the most storks. In order to explain this curious relationship, one merely has to introduce as control variable the rural/urban nature of the districts where this relationship was observed. Keeping in mind the rural/urban nature of the districts, it is noted that the associations between the number of storks and the number of births disappear in each group of localities: the associations are non-existent. The initially observed relationship is the result of two facts being connected: in the rural districts, there are more storks and the birth rate is higher but, obviously, a large number of storks in a locality does not explain the large number of births noted there.

Finally, the independent variable "percentage of members in private practice" influences the dependent variable "activity level of the corporations" but his initial relationship is modified by the intervention of the control variable "annual income of the corporation". Corporations with most of their members in private practice show a higher activity level provided that they also have an annual income of $150,000 and over.

As illustrated in table 7.1*, the intensity of the initial relationship between the dependent variable "activity level" and the independent variable "percentage of members in private practice", measured by the observed SCP, is .11. The intensity of this association remains at .11 when it is measured only for the corporations with an annual income of $150,000 or more. On the other hand, it becomes virtually non-existent and drops to .01 when measured for corporations with an annual income of less than $150,000.

*The results of the control of the intensity of relationships between the characteristics and the activity level are given in table 8.10.

Table 7.1
CONTROL OF THE RELATIONSHIP BETWEEN THE PROPORTION OF MEMBERS IN PRIVATE PRACTICE AND THE ACTIVITY LEVEL, TAKING INTO ACCOUNT THE ANNUAL INCOME OF THE CORPORATIONS.

Dependent variable: / Independent variable:	**activity level**	Control variable: **Annual income of the corporation**	
		+$150,000	−$150,000
% of members in private practice	.11 (.25)	.11 (.18)	.01 (.15)

Moreover, if the observed SCPs are compared to the observable maximum SCPs*, shown in brackets in table 7.1, it is noted that the intensity of relationship observed is close to the observable maximum for those corporations with an annual income of $150,000 or more, and very far from this maximum for the corporations with an annual income of less than $150,000.

3. Functions of multivariate analysis

Multivariate analysis ensures the elimination of deceptive relationships and the identification of pertinent variables for explaining the subject of the research. However, the variables retained often taken effect only under certain circumstances or under specified conditions. By means of multivariate analysis, therefore, these conditions can be specified as well as their limits of influence. Finally, not all variables have an equal explanatory value and their influence is sometimes indirect. The purpose of multivariate analysis is to place the variables in relation to one another and to determine the position of each within the framework of a total explanation. This is the ultimate objective of multivariate analysis, but it can not always be achieved. It is sometimes necessary, when the research is completed, to accept partial explanations since the total explanation could not be obtained from the collected data.

*The value of the observed "adjusted" SCPs in terms of the observable maximum SCPs is given for each relationship in table 8.11.

APPENDIX 8

Statistical Tables Used for Analysing the Level of Activity of the Corporations

Table 8.1
INTENSITY OF STATISTICAL RELATIONSHIPS BETWEEN VARIABLES (SCP)*

Dependent variables / Independent variables	Activity level	Membership of the corporation	Annual income of the corporation	Year of incorporation	Legal status	% of members in private practice	Concentration of members in Montreal and Quebec Regions	Nature of member's clientele
Membership of the corporation	.078 (.232)	———	.164** (.250)	.078 (.232)	.080 (.214)	.001 (.249)	.029 (.230)	.025 (.232)
Annual income of the corporation	.128** (.232)	———	———	.163** (.232)	.096** (.214)	.089 (.232)	.047 (.250)	.010 (.232)
Year of incorporation	.144** (.247)	———	———	———	.185** (.230)	.140** (.249)	.119** (.230)	.029 (.249)
Legal status	.082 (.230)	———	———	———	———	.110** (.210)	.122** (.211)	.021 (.228)
% of members in private practice	.106** (.249)	———	———	———	———	———	.008 (.229)	.037 (.246)
Concentration of members in Mtl. and Que. Regions	.045 (.230)	———	———	———	———	———	———	.027 (.250)
Nature of member's clientele	.098** (.247)	———	———	———	———	———	———	———

*The figure shown in brackets indicates the value of observable maximum SCP.
**Significant relationship because, according to the Fisher test, the risk of error does not exceed 5%.

Table 8.2
INTENSITY OF STATISTICAL RELATIONSHIPS BETWEEN VARIABLES (ADJUSTED SCP)*

Dependent variables / Independent variables	Activity level	Membership of the corporation	Annual income of the corporation	Year of incorpo-ration	Legal status	% of members in private practice	Concentra-tion of members in Montreal and Quebec Regions	Nature of member's clientele
Membership of the corporation	.084	____	.164	.085	.094	.001	.032	.027
Annual income of the corporation	.138	____	____	.176	.112	.096	.047	.011
Year of incorporation	.146	____	____	____	.203	.140	.129	.029
Legal status	.089	____	____	____	____	.131	.145	.023
% of members in private practice	.106	____	____	____	____	____	.009	.038
Concentration of members in Mtl. and Que. Regions	.049	____	____	____	____	____	____	.027
Nature of member's clientele	.099	____	____	____	____	____	____	____

*The figure in each cell indicates the value of the adjusted SCP.

Table 8.3
DISTRIBUTION OF CORPORATIONS WITH A HIGHER ACTIVITY LEVEL, ACCORDING TO LEGAL STATUS*

	Exclusive practice	Reserve of title
Higher activity level	10/17	3/12

Fisher: .06
SCP: .08 (.23)

A. In terms of membership of the corporation

1,100 and over		Less than 1,100	
E.P.	R.T.	E.P.	R.T.
8/11	1/4	2/6	2/8

Fisher: N.S. SCP: .09 (.16) | Fisher: N.S. SCP: .02 (.16)

B. In terms of annual income

$150,000 and over		Less than $150,000	
E.P.	R.T.	E.P.	R.T.
9/11	1/3	1/6	2/9

Fisher: N.S. SCP: .08 (.15) | Fisher: N.S. SCP: .01 (.12)

C. In terms of year of incorporation

Before 1922		After 1939	
E.P.	R.T.	E.P.	R.T.
10/13	0/0	0/4	3/12

Fisher: N.S. SCP: .00 (.00) | Fisher: N.S. SCP: .05 (.14)

D. In terms of proportion of members in private practice**

35% and over		15% and less	
E.P.	R.T.	E.P.	R.T.
9/11	0/2	1/6	3/9

Fisher: N.S. SCP: .11 (.11) | Fisher: N.S. SCP: .04 (.16)

E. In terms of concentration of members in Montreal and Quebec Regions***

Over 80%		80% and less	
E.P.	R.T.	E.P.	R.T.
3/5	2/9	6/11	1/2

Fisher: N.S. SCP: .09 (.23) | Fisher: N.S. SCP: .01 (.08)

F. In terms of nature of members' clientele

Primarily individual		Primarily collective	
E.P.	R.T.	E.P.	R.T.
8/10	2/6	2/7	1/6

Fisher: N.S. SCP: .11 (.23) | Fisher: N.S. SCP: .03 (.12)

*The initials N.S. indicate a non-significant relationship, i.e. its risk of error according to the Fisher test exceeds the level set at 5%. The figure in brackets indicates the observable maximum SCP.

**Data for 28 corporations.

***Data for 27 corporations.

Table 8.4
DISTRIBUTION OF CORPORATIONS WITH A HIGHER ACTIVITY LEVEL ACCORDING TO THE MEMBERSHIP OF THE CORPORATION*

	1,100 and over	Less than 1,100
Higher activity level	9/15	4/14

Fisher: .07
SCP: .08 (.23)

A. In terms of legal status

Exclusive practice		Reserve of title	
1100+	−1100	1100+	−1100
8/11	2/6	1/4	2/8

Fisher: N.S.
SCP: .09 (.21)

Fisher: N.S.
SCP: .00 (.17)

B. In terms of annual income

$150,000 and over		Less than $150,000	
1100+	−1100	1100+	−1100
9/12	1/2	0/3	3/12

Fisher: N.S.
SCP: .03 (.10)

Fisher: N.S.
SCP: .04 (.16)

C. In terms of year of incorporation

Before 1922		After 1939	
1100+	−1100	1100+	−1100
8/9	2/4	1/6	2/10

Fisher: N.S.
SCP: .08 (.16)

Fisher: N.S.
SCP: .01 (.12)

D. In terms of proportion of members in private practice**

35% and over		15% and less	
1100+	−1100	1100+	−1100
7/7	2/6	2/8	2/7

Fisher: 0.2
SCP: .17 (.17)

Fisher: N.S.
SCP: .01 (.14)

E. In terms of concentration of members in Montreal and Quebec Regions***

Over 80%		80% and less	
1100+	−1100	1100+	−1100
4/7	1/7	5/8	2/5

Fisher: N.S.
SCP: .11 (.18)

Fisher: N.S.
SCP: .05 (.21)

F. In terms of nature of members' clientele

Primarily individual		Primarily collective	
1100+	−1100	1100+	−1100
7/9	3/7	2/6	1/7

Fisher: N.S.
SCP: .09 (.21)

Fisher: N.S.
SCP: .05 (.12)

*The initials N.S. indicate a non-significant relationship, i.e. its risk of error according to the Fisher test exceeds the level set at 5%. The figure in brackets indicates the observable maximum SCP.

**Data for 28 corporations.

***Data for 27 corporations.

Table 8.5
DISTRIBUTION OF CORPORATIONS WITH A HIGHER ACTIVITY LEVEL, ACCORDING TO ANNUAL INCOME*

	$150,000 and over	Less than $150,000
Higher activity level	10/14	3/15

Fisher: .01
SCP: .13 (.23)

A. In terms of membership of the corporation

1,100 and over		Less than 1,100	
150,000+	−150,000	150,000+	−150,000
9/12	0/3	1/2	3/12

Fisher: 0.4
SCP: .12 (.12)

Fisher: N.S.
SCP: .03 (.10)

B. In terms of legal status

Exclusive practice		Reserve of title	
150,000+	−150,000	150,000+	−150,000
9/11	1/6	1/3	2/9

Fisher: .02
SCP: .15 (.21)

Fisher: N.S.
SCP: .02 (.19)

C. In terms of year of incorporation

Before 1922		After 1939	
150,000+	−150,000	150,000+	−150,000
9/11	1/2	1/3	2/13

Fisher: N.S.
SCP: .04 (.12)

Fisher: N.S.
SCP: .03 (.15)

D. In terms of proportion of members in private practice**

35% and over		15% and less	
150,000+	−150,000	150,000+	−150,000
8/9	1/4	2/5	2/10

Fisher: .05
SCP: .14 (.21)

Fisher: N.S.
SCP: .04 (.18)

E. In terms of concentration of members in Montreal and Quebec Regions***

Over 80%		80% and less	
150,000+	−150,000	150,000+	−150,000
4/6	1/8	6/8	1/5

Fisher: N.S.
SCP: .13 (.20)

Fisher: .02
SCP: .13 (.21)

F. In terms of nature of members' clientele

Primarily individual		Primarily collective	
150,000+	−150,000	150,000+	−150,000
8/8	2/8	2/6	1/4

Fisher: .01
SCP: .19 (.19)

Fisher: N.S.
SCP: .05 (.12)

*The initials N.S. indicate a non-significant relationship, i.e. its risk of error according to the Fisher test exceeds the level set at 5%. The figure in brackets indicates the observable maximum SCP.

**Data for 28 corporations.

***Data for 27 corporations.

Table 8.6
DISTRIBUTION OF CORPORATIONS WITH A HIGHER ACTIVITY LEVEL, ACCORDING TO YEAR OF INCORPORATION*

	Before 1922	After 1939
Higher activity level	10/13	3/16

Fisher: .01
SCP: .14 (.25)

A. In terms of legal status

Exclusive practice		Reserve of title	
b. 1922	a. 1939	b. 1922	a. 1939
10/13	0/4	0/0	3/12

Fisher: .01
SCP: .14 (.14)

Fisher: N.S.
SCP: .00 (.00)

B. In terms of annual income

$150,000 and over		Less than $150,000	
b. 1922	a. 1939	b. 1922	a. 1939
9/11	1/3	1/2	2/13

Fisher: N.S.
SCP: .08 (.15)

Fisher: N.S.
SCP: .04 (.11)

C. In terms of membership of the corporation

1,100 and over		Less than 1,100	
b. 1922	a. 1939	b. 1922	a. 1939
8/9	1/6	2/4	2/10

Fisher: .01
SCP: .17 (.24)

Fisher: N.S.
SCP: .06 (.20)

D. In terms of proportion of members in private practice**

35% and over		15% and less	
b. 1922	a. 1939	b. 1922	a. 1939
9/10	0/3	1/3	3/12

Fisher: .01
SCP: .16 (.16)

Fisher: N.S.
SCP: .01 (.15)

E. In terms of concentration of members in Montreal and Quebec Regions***

Over 80%		80% and less	
b. 1922	a. 1939	b. 1922	a. 1939
3/3	2/11	6/9	1/4

Fisher: .03
SCP: .14 (.14)

Fisher: N.S.
SCP: .09 (.17)

F. In terms of nature of members' clientele

Primarily individual		Primarily collective	
b. 1922	a. 1939	b. 1922	a. 1939
8/8	2/8	2/5	1/8

Fisher: .01
SCP: .19 (.19)

Fisher: N.S.
SCP: .07 (.14)

*The initials N.S. indicate a non-significant relationship, i.e. its risk of error according to the Fisher test exceeds the level set at 5%. The figure in brackets indicates the observable maximum SCP.

**Data for 28 corporations.

***Data for 27 corporations.

Table 8.7
DISTRIBUTION OF CORPORATIONS WITH A HIGHER ACTIVITY LEVEL, ACCORDING TO PROPORTION OF MEMBERS IN PRIVATE PRACTICE*,**

	35% and over	15% and less
Higher activity level	9/13	4/15

Fisher: .03
SCP: .11 (.25)

A. In terms of legal status

Exclusive practice		Reserve of title	
35% +	15% –	35% +	15% –
9/11	1/6	0/2	3/9

Fisher: 0.2 — Fisher: N.S.
SCP: .15 (.21) — SCP: .05 (.13)

B. In terms of annual income

$150,000 and over		Less than $150,000	
35% +	15% –	35% +	15% –
8/9	2/5	1/4	2/10

Fisher: N.S. — Fisher: N.S.
SCP: .11 (.18) — SCP: .01 (.15)

C. In terms of membership of the corporation

1,100 and over		Less than 1,100	
35% +	15% –	35% +	15% –
7/7	2/8	2/6	2/7

Fisher: .01 — Fisher: N.S.
SCP: .19 (.21) — SCP: .01 (.17)

D. In terms of year of incorporation

Before 1922		After 1939	
35% +	15% –	35% +	15% –
9/10	1/3	0/3	3/12

Fisher: N.S. — Fisher: N.S.
SCP: .10 (.18) — SCP: .04 (.16)

E. In terms of concentration of members in Montreal and Quebec Regions***

Over 80%		80% and less	
35% +	15% –	35% +	15% –
3/6	2/8	5/6	2/7

Fisher: N.S. — Fisher: N.S.
SCP: .06 (.20) — SCP: .14 (.25)

F. In terms of nature of members' clientele

Primarily individual		Primarily collective	
35% +	15% –	35% +	15% –
7/8	3/7	2/5	1/8

Fisher: N.S. — Fisher: N.S.
SCP: .11 (.18) — SCP: .07 (.14)

*The initials N.S. indicate a non-significant relationship, i.e. its risk of error according to the Fisher test exceeds the level set at 5%. The figure in brackets indicates the observable maximum SCP.
**Data for 28 corporations.
***Data for 27 corporations.

Table 8.8
DISTRIBUTION OF CORPORATIONS WITH A HIGHER ACTIVITY LEVEL, ACCORDING TO CONCENTRATION OF MEMBERS IN MONTREAL AND QUEBEC REGIONS**

	More than 80%	80% and less
Higher activity level	5/14	7/13

Fisher: N.S.
SCP: .05 (.23)

A. In terms of legal status

Exclusive practice		Reserve of title	
80% +	80% –	+80%	80% –
3/5	6/11	2/9	1/2

Fisher: N.S.
SCP: .01 (.18)

Fisher: N.S.
SCP: .04 (.13)

B. In terms of annual income

$150,000 and over		Less than $150,000	
+80%	80% –	+80%	80% –
4/6	6/8	1/8	1/5

Fisher: N.S.
SCP: .02 (.16)

Fisher: N.S.
SCP: .02 (.09)

C. In terms of membership of the corporation

1,100 and over		Less than 1,100	
+80%	80% –	+80%	80% –
4/7	5/8	1/7	2/5

Fisher: N.S.
SCP: .01 (.21)

Fisher: N.S.
SCP: .06 (.15)

D. In terms of proportion of members in private practice

35% and over		15% and less	
+80%	80% –	+80%	80% –
3/6	5/6	2/8	2/7

Fisher: N.S.
SCP: .08 (.17)

Fisher: N.S.
SCP: .01 (.14)

E. In terms of year of incorporation

Before 1922		After 1939	
+80%	80% –	+80%	80% –
3/3	6/9	2/11	1/4

Fisher: N.S.
SCP: .06 (.19)

Fisher: N.S.
SCP: .01 (.15)

F. In terms of nature of members' clientele

Primarily individual		Primarily collective	
+80%	80% –	+80%	80% –
5/8	4/6	0/6	3/7

Fisher: N.S.
SCP: .01 (.20)

Fisher: N.S.
SCP: .11 (.12)

*The initials N.S. indicate a non-significant relationship, i.e. its risk of error according to the Fisher test exceeds the level set at 5%. The figure in brackets indicates the observable maximum SCP.

**Data for 27 corporations.

Table 8.9
DISTRIBUTION OF CORPORATIONS WITH A HIGHER ACTIVITY LEVEL, ACCORDING TO NATURE OF CLIENTELE*

	Primarily individual	Primarily collective
Higher activity level	10/16	3/13

Fisher: .03
SCP: .10 (.25)

A. In terms of legal status

Exclusive practice		Reserve of title	
Ind.	Coll.	Ind.	Coll.
8/10	2/7	2/6	1/6

Fisher: .05
SCP: .12 (.24)

Fisher: N.S.
SCP: .04 (.13)

B. In terms of membership of the corporation

1,100 and over		Less than 1,100	
Ind.	Coll.	Ind.	Coll.
7/9	2/6	3/7	1/7

Fisher: N.S.
SCP: .11 (.24)

Fisher: N.S.
SCP: .07 (.14)

C. In terms of annual income

$150,000 and over		Less than $150,000	
Ind.	Coll.	Ind.	Coll.
8/8	2/6	2/8	1/7

Fisher: .02
SCP: .16 (.16)

Fisher: N.S.
SCP: .03 (.11)

D. In terms of year of incorporation

Before 1922		After 1939	
Ind.	Coll.	Ind.	Coll.
8/8	2/5	2/8	1/8

Fisher: .04
SCP: .14 (.14)

Fisher: N.S.
SCP: .03 (.09)

E. In terms of proportion of members in private practice**

35% and over		15% and less	
Ind.	Coll.	Ind.	Coll.
7/8	2/5	3/7	1/8

Fisher: N.S.
SCP: .11 (.19)

Fisher: N.S.
SCP: .08 (.14)

F. In terms of concentration of members in Montreal and Quebec Regions***

Over 80%		80% and less	
Ind.	Coll.	Ind.	Coll.
5/8	0/6	4/6	3/7

Fisher: .03
SCP: .15 (.20)

Fisher: N.S.
SCP: .06 (.25)

*The initials N.S. indicate a non-significant relationship, i.e. its risk of error according to the Fisher test exceeds the level set at 5%. The figure in brackets indicates the observable maximum SCP.

**Data for 28 corporations.

***Data for 27 corporations.

Table 8.10
CONTROL OF STATISTICAL RELATIONSHIPS BETWEEN THE CHARACTERISTICS OF THE CORPORATIONS AND THE ACTIVITY LEVEL (SCP)*

Independent variables / Dependent variable: activity level / Control variables		Membership of the corporation		Annual income $000		Year of incorporation		Legal status		% of members in private practice		Concentration of members in Mtl. and Que. regions		Nature of members' clientele	
		1100+	−1100	150+	−150	−1922	+1939	E.P.	R.T.	35%+	15%−	+80%	80%−	Ind.	Coll.
Membership of the corporation	.078 (.232)			.031 (.102)	.040 (.160)	.083 (.160)	.008 (.117)	.090 (.208)	.000 (.167)	.166 (.166)	.009 (.142)	.107 (.179)	.053 (.207)	.086 (.211)	.047 (.124)
Annual income of the corporation	.128 (.232)	.120 (.120)	.031 (.102)			.040 (.118)	.027 (.152)	.149 (.208)	.021 (.188)	.136 (.210)	.044 (.178)	.133 (.204)	.130 (.207)	.188 (.188)	.047 (.124)
Year of incorporation	.144 (.247)	.173 (.240)	.061 (.204)	.082 (.153)	.040 (.107)			.138 (.138)	.000 (.000)	.160 (.160)	.013 (.147)	.138 (.138)	.089 (.166)	.188 (.188)	.065 (.142)
Legal status	.082 (.230)	.093 (.160)	.020 (.163)	.082 (.153)	.013 (.120)	.000** (.000)	.047 (.141)			.107 (.107)	.040 (.160)	.089 (.230)	.006 (.083)	.109 (.234)	.030 (.124)
% of members in private practice	.106 (.249)	.187 (.213)	.012 (.166)	.112 (.184)	.010 (.153)	.101 (.178)	.040 (.160)	.149 (.208)	.050 (.132)			.061 (.204)	.136 (.249)	.111 (.178)	.065 (.142)
Concentration of members in Mtl. and Que. regions	.045 (.230)	.013 (.210)	.063 (.146)	.020 (.163)	.010 (.095)	.063 (.188)	.013 (.147)	.012 (.176)	.041 (.132)	.083 (.167)	.009 (.142)			.010 (.204)	.107 (.124)
Nature of members' clientele	.098 (.247)	.107 (.240)	.071 (.143)	.163 (.163)	.027 (.107)	.142 (.142)	.031 (.094)	.124 (.242)	.042 (.125)	.112 (.189)	.076 (.142)	.153 (.204)	.059 (.249)		

*The figure given in brackets indicates the value of the observable maximum SCP.
**No corporation with reserve of title was incorporated before 1922.

Table 8.11
CONTROL OF STATISTICAL RELATIONSHIPS BETWEEN THE CHARACTERISTICS OF THE CORPORATIONS AND THE ACTIVITY LEVEL (ADJUSTED SCP)*

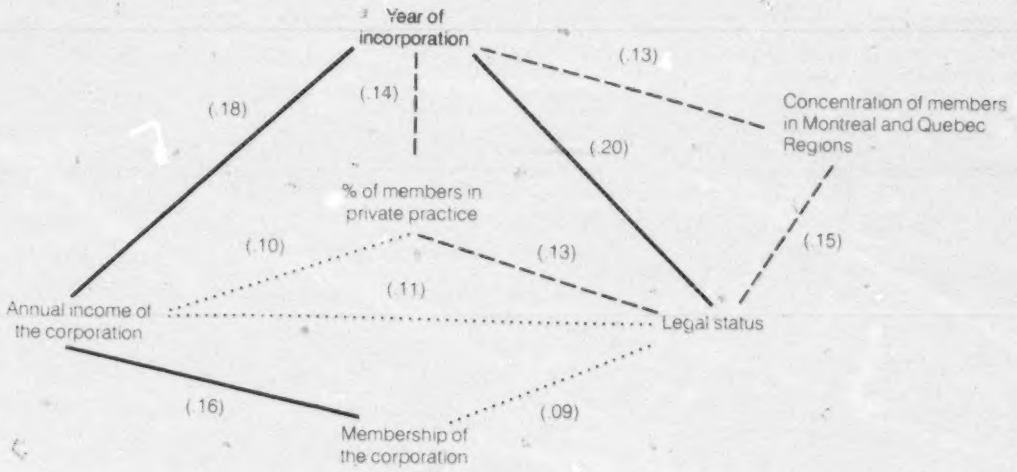
Independent variables / Dependent variable: activity level / Control variables		Membership of the corporation		Annual income $000		Year of incorporation		Legal status		% of members in private practice		Concentration of members in Mtl. and Que. regions		Nature of members' clientele	
		1100+	−1100	150+	−150	−1922	+1939	E.P.	R.T.	35%+	15%−	+80%	80%−	Ind.	Coll.
Membership of the corporation	.084	——		.076	.063	.130	.017	.108	.000	.250	.016	.149	.064	.102	.095
Annual income of the corporation	.138	.250	.076	——		.085	.044	.179	.028	.162	.062	.163	.157	.250	.095
Year of incorporation	.146	.180	.075	.134	.093	——		.250	.000**	.250	.022	.250	.134	.250	.114
Legal status	.089	.145	.031	.134	.027	.000	.083	——		.250	.063	.097	.018	.116	.060
% of members in private practice	.106	.219	.018	.152	.016	.142	.063	.179	.095	——		.175	.137	.156	.114
Concentration of members in Mtl. and Que. regions	.049	.015	.108	.031	.047	.084	.022	.017	.078	.124	.016	——		.012	.216
Nature of members' clientele	.099	.111	.124	.250	.063	.250	.082	.128	.084	.148	.134	.188	.059	——	

*The figure in each cell indicates the value of the adjusted SCP.
**No corporation with reserve of title was incorporated before 1924.

APPENDIX 9

Statistical Relationships between the Characteristics of Professional Corporations

Table 9.1
DIAGRAM SHOWING THE RELATIONSHIPS BETWEEN THE CHARACTERISTICS OF THE CORPORATIONS*



where ——— indicates a relationship equal to or higher than .16 (adjusted SCP)

– – – – indicates a relationship lower than .16, but equal to or higher than .12 (adjusted SCP)

. . . . . indicates a relationship lower than .12, but equal or higher than .08 (adjusted SCP)

*The intensity of relationships not expressed in this diagram is given in table 8.2. See especially the relationships between the nature of the clientele and the other characteristics which are less than .04.

Table 9.2
CONTROL OF STATISTICAL RELATIONSHIPS BETWEEN "MEMBERSHIP OF THE CORPORATION" AND THE OTHER CHARACTERISTICS OF THE CORPORATIONS*

Independent variables / Dependent variable: Membership of the corporation / Control variables		Annual income of the corporation $000		Year of incorporation		Legal status		% of members in private practice		Concentration of members Mtl. and Que.		Nature of members' clientele	
		150+	−150	−1922	+1939	E.P.	R.T.	35%+	15%−	+80%	80%−	Ind.	Coll.
Annual income of the corporation	.16 (.25)	——		.11 (.11)	.12 (.12)	.12 (.23)	.17 (.17)	.17 (.17)	.16 (.18)	.21 (.21)	.08 (.24)	.16 (.22)	.17 (.25)
Year of incorporation	.08 (.23)	.02 (.11)	.03 (.11)	——		.04 (.15)	.00 (.00)	.12 (.12)	.03 (.11)	.11 (.11)	.04 (.19)	.09 (.22)	.05 (.21)
Legal status	.08 (.21)	.03 (.11)	.05 (.12)	.00 (.00)	.03 (.16)	——		.08 (.08)	.05 (.21)	.04 (.17)	.10 (.10)	.09 (.21)	.06 (.25)
% of members in private practice	.00 (.25)	.05 (.09)	.06 (.15)	.11 (.16)	.08 (.13)	.01 (.23)	.07 (.12)	——		.00 (.21)	.02 (.21)	.01 (.21)	.02 (.21)
Concentration of members in Mtl. and Que. regions	.03 (.23)	.06 (.08)	.07 (.14)	.06 (.19)	.03 (.16)	.03 (.22)	.07 (.12)	.04 (.11)	.02 (.25)	——		.01 (.20)	.06 (.21)
Nature of members' clientele	.03 (.23)	.01 (.08)	.03 (.11)	.04 (.19)	(.00) (.19)	.03 (.21)	(.00) (.17)	.05 (.21)	.02 (.25)	.07 (.21)	.02 (.21)	——	

*The figure given in brackets indicates the value of the observable maximum SCP

Table 9.3
CONTROL OF STATISTICAL RELATIONSHIPS BETWEEN "ANNUAL INCOME" AND THE OTHER CHARACTERISTICS OF THE CORPORATIONS*

Independent variables / Dependent variable: annual income of the corporation / Control variables		Membership of the corporation		Year of incorporation		Legal status		% of members in private practice		Concentration of members Mtl. and Que.		Nature of members' clientele	
		1100+	−1100	−1922	+1939	E.P.	R.T.	35%+	15%−	+80%	80%−	Ind.	Coll.
Membership of the corporation	.16 (.25)	—	—	.11 (.11)	.12 (.12)	.12 (.23)	.17 (.17)	.17 (.17)	.16 (.18)	.21 (.21)	.08 (.24)	.16 (.22)	.17 (.25)
Year of incorporation	.16 (.23)	.12 (.12)	.10 (.10)	—	—	.15 (.15)	.00 (.00)	.16 (.16)	.07 (.13)	.12 (.12)	.19 (.19)	.19 (.25)	.13 (.21)
Legal status	.10 (.21)	.01 (.15)	.08 (.08)	.00 (.00)	.05 (.14)	—	—	.11 (.11)	.00 (.20)	.06 (.20)	.09 (.09)	.13 (.19)	.06 (.25)
% of members in private practice	.09 (.23)	.09 (.09)	.08 (.08)	.04 (.18)	.04 (.16)	.12 (.23)	.05 (.13)	—	—	.03 (.24)	.18 (.21)	.18 (.25)	.02 (.21)
Concentration of members in Mtl. and Que. regions	.05 (.25)	.03 (.11)	.10 (.10)	.02 (.06)	.05 (.15)	.03 (.21)	.05 (.13)	.13 (.13)	.02 (.18)	—	—	.04 (.24)	.06 (.25)
Nature of members' clientele	.01 (.23)	.01 (.12)	.00 (.06)	.02 (.09)	.03 (.09)	.03 (.21)	.04 (.13)	.11 (.19)	.09 (.18)	.04 (.24)	.02 (.21)	—	—

*The figure given in brackets indicates the value of the observable maximum SCP

Table 9.4
CONTROL OF STATISTICAL RELATIONSHIPS BETWEEN "YEAR OF INCORPORATION" AND THE OTHER CHARACTERISTICS OF THE CORPORATIONS*

Independent variables / Dependent variable: year of incorporation / Control variables		Membership of the corporation		Annual income of the corporation $000		Legal status		% of members in private practice		Concentration of members Mtl. and Que.		Nature of members' clientele	
		1100+	−1100	150+	−150	E.P.	R.T.	35%+	15%−	+80%	80%−	Ind.	Coll.
Membership of the corporation	.08 (.23)	——		.02 (.11)	.04 (.11)	.04 (.14)	.00 (.00)	.12 (.12)	.03 (.13)	.11 (.11)	.04 (.19)	.09 (.22)	.05 (.21)
Annual income of the corporation	.16 (.23)	.12 (.12)	.10 (.10)	——		.15 (.15)	.00 (.00)	.16 (.16)	.07 (.13)	.12 (.12)	.19 (.19)	.19 (.25)	.13 (.21)
Legal status	.19 (.23)	.16 (.16)	.16 (.16)	.04 (.17)	.08 (.08)	——		.12 (.12)	.12 (.12)	.14 (.14)	.11 (.11)	.19 (.19)	.18 (.18)
% of members in private practice	.14 (.25)	.19 (.19)	.09 (.17)	.14 (.14)	.03 (.10)	.09 (.13)	.00 (.00)	——		.12 (.12)	.07 (.17)	.18 (.25)	.08 (.24)
Concentration of members in Mtl. and Que. regions	.12 (.23)	.08 (.21)	.15 (.15)	.12 (.12)	.05 (.05)	.05 (.17)	.00 (.00)	.04 (.17)	.14 (.14)	——		.03 (.25)	.21 (.25)
Nature of members' clientele	.03 (.25)	.04 (.24)	.00 (.14)	.05 (.12)	.00 (.07)	.02 (.14)	.00 (.00)	.07 (.14)	.03 (.09)	.09 (.12)	.09 (.17)	——	

*The figure given in brackets indicates the value of the observable maximum SCP

Table 9.5
CONTROL OF STATISTICAL RELATIONSHIPS BETWEEN "LEGAL STATUS" AND THE OTHER CHARACTERISTICS OF THE CORPORATIONS*

Independent variables \ Dependent variable: legal status	Control variables	Membership of the corporation		Annual income of the corporation $000		Year of incorporation		% of members in private practice		Concentration of members Mtl. and Que.		Nature of members' clientele	
		1100+	−1100	150+	−150	−1922	+1939	35%+	15%−	+80%	80%−	Ind.	Coll.
Membership of the corporation	.08 (.21)	——		.03 (.11)	.05 (.12)	.00 (.00)	.03 (.16)	.08 (.08)	.05 (.21)	.04 (.18)	.10 (.10)	.09 (.21)	.06 (.25)
Annual income of the corporation	.10 (.21)	.01 (.15)	.08 (.08)	——		.00 (.00)	.05 (.14)	.11 (.11)	.00 (.20)	.06 (.20)	.09 (.09)	.13 (.19)	.06 (.25)
Year of incorporation	.19 (.23)	.16 (.16)	.16 (.16)	.04 (.17)	.08 (.08)	——		.12 (.12)	.12 (.12)	.14 (.14)	.11 (.11)	.19 (.19)	.18 (.18)
% of members in private practice	.11 (.21)	.12 (.14)	.01 (.25)	.14 (.14)	.02 (.16)	.00 (.00)	.01 (.15)	——		.13 (.20)	.07 (.08)	.18 (.18)	.02 (.18)
Concentration of members in Mtl. and Que. regions	.12 (.21)	.14 (.14)	.08 (.24)	.12 (.12)	.08 (.24)	.00 (.00)	.06 (.20)	.08 (.08)	.15 (.21)	——		.08 (.20)	.18 (.25)
Nature of members' clientele	.02 (.23)	.03 (.16)	.00 (.21)	.09 (.12)	.01 (.21)	.00 (.00)	.00 (.00)	.10 (.10)	.05 (.21)	.08 (.20)	.01 (.08)	——	

*The figure given in brackets indicates the value of the observable maximum SCP

Table 9.6
CONTROL OF STATISTICAL RELATIONSHIPS BETWEEN "PROPORTION OF MEMBERS IN PRIVATE PRACTICE" AND THE OTHER CHARACTERISTICS OF THE CORPORATIONS*

Independent variables / Dependent variable: % of members in private practice / Control variables		Membership of the corporation		Annual income of the corporation $000		Year of incorporation		Legal status		Concentration of members Mtl. and Que		Nature of members' clientele	
		1100+	−1100	150+	−150	−1932	+1939	E.P.	R.T.	+80%	80%−	Ind.	Coll.
Membership of the corporation	.00 (.25)	——		.05 (.09)	.06 (.15)	.11 (.16)	.08 (.13)	.01 (.23)	.07 (.12)	.00 (.21)	.02 (.21)	.01 (.21)	.02 (.21)
Annual income of the corporation	.09 (.23)	.09 (.09)	.08 (.08)	——		.04 (.18)	.04 (.16)	.12 (.23)	.05 (.13)	.03 (.24)	.18 (.21)	.18 (.25)	.02 (.21)
Year of incorporation	.14 (.25)	.19 (.19)	(.09) (.17)	.14 (.14)	.03 (.10)	——		.09 (.13)	.00 (.00)	.12 (.12)	.07 (.17)	.18 (.25)	.08 (.24)
Legal status	.11 (.21)	.12 (.14)	.10 (.25)	.14 (.14)	.02 (.16)	.00 (.00)	.01 (.15)	——		.13 (.20)	.07 (.08)	.18 (.18)	.02 (.18)
Concentration of members in Mtl. and Que. regions	.01 (.23)	.02 (.25)	.01 (.24)	.06 (.20)	.03 (.14)	.08 (.17)	.00 (.20)	.06 (.20)	.03 (.15)	——		.00 (.21)	.02 (.21)
Nature of members' clientele	.04 (.25)	.05 (.21)	.02 (.25)	.13 (.20)	.07 (.14)	.07 (.14)	.03 (.09)	.09 (.21)	.08 (.08)	.04 (.25)	.02 (.25)	——	

*The figure given in brackets indicates the value of the observable maximum SCP

Table 9.7
CONTROL OF STATISTICAL RELATIONSHIPS BETWEEN "CONCENTRATION OF MEMBERS IN MONTREAL AND QUEBEC REGIONS" AND THE OTHER CHARACTERISTICS OF THE CORPORATIONS*

Independent variables \ Dependent variable: concentration of members Mtl. and Que. / Control variables		Membership of the corporation		Annual income of the corporation $000		Year of incorporation		Legal status		% of members in private practice		Nature of members' clientele	
		1100+	−1100	150+	−150	−1922	+1939	E.P.	R.T.	35%+	15%−	Ind.	Coll.
Membership of the corporation	.03 (.23)	—	—	.06 (.08)	.07 (.14)	.06 (.19)	.03 (.16)	.03 (.22)	.07 (.12)	.04 (.11)	.02 (.25)	.01 (.20)	.06 (.21)
Annual income of the corporation	.05 (.25)	.03 (.11)	.10 (.10)	—	—	.02 (.06)	.05 (.15)	.03 (.21)	.05 (.13)	.13 (.13)	.02 (.18)	.04 (.24)	.06 (.25)
Year of incorporation	.12 (.23)	.08 (.21)	.15 (.15)	.12 (.12)	.05 (.05)	—	—	.05 (.17)	.00 (.00)	.04 (.17)	.14 (.14)	.03 (.25)	.21 (.25)
Legal status	.12 (.21)	.14 (.14)	.08 (.24)	.12 (.12)	.08 (.24)	.00 (.00)	.06 (.20)	—	—	.08 (.08)	.15 (.21)	.08 (.20)	.18 (.25)
% of members in private practice	.01 (.23)	.02 (.25)	.01 (.24)	.06 (.20)	.03 (.14)	.08 (.17)	.00 (.20)	.06 (.20)	.03 (.15)	—	—	.00 (.21)	.02 (.21)
Nature of members' clientele	.03 (.25)	.05 (.21)	.01 (.24)	.04 (.24)	.02 (.21)	.13 (.13)	.06 (.14)	.07 (.18)	.01 (.10)	.02 (.21)	.02 (.25)	—	—

*The figure given in brackets indicates the value of the observable maximum SCP

Table 9.8
CONTROL OF STATISTICAL RELATIONSHIPS BETWEEN "NATURE OF MEMBERS' CLIENTELE" AND THE OTHER CHARACTERISTICS OF THE CORPORATIONS*

Independent variables	Dependent variable: nature of members' clientele / Control variables	Membership of the corporation 1100+	Membership of the corporation −1100	Annual income of the corporation $000 150+	Annual income of the corporation $000 −150	Year of incorporation −1922	Year of incorporation +1939	Legal status E.P.	Legal status R.T.	% of members in private practice 35%+	% of members in private practice 15%−	Concentration of members Mtl. and Qué. +80%	Concentration of members Mtl. and Qué. 80%−
Membership of the corporation	.03 (.23)	——		.01 (.08)	.03 (.11)	.04 (.19)	(.00) (.19)	.03 (.21)	.00 (.17)	.05 (.21)	.02 (.25)	.07 (.21)	.02 (.21)
Annual income of the corporation	.01 (.23)	.01 (.12)	.00 (.06)	——		.02 (.09)	.03 (.09)	.03 (.21)	.04 (.13)	.11 (.19)	.09 (.18)	.04 (.24)	.02 (.21)
Year of incorporation	.03 (.25)	.03 (.24)	.00 (.14)	.05 (.12)	.00 (.07)	——		.02 (.14)	.00 (.00)	.07 (.14)	.03 (.09)	.09 (.12)	.09 (.17)
Legal status	.02 (.23)	.03 (.16)	.00 (.21)	.09 (.12)	.01 (.21)	.00 (.00)	.00 (.00)	——		.10 (.10)	.05 (.21)	.08 (.20)	.01 (.08)
% of members in private practice	.04 (.25)	.05 (.21)	.02 (.25)	.13 (.20)	.07 (.14)	.07 (.14)	.03 (.09)	.09 (.21)	.08 (.08)	——		.04 (.25)	.02 (.25)
Concentration of members in Mtl. and Que. regions	.03 (.25)	.05 (.21)	.01 (.24)	.04 (.24)	.02 (.21)	.13 (.13)	.06 (.14)	.07 (.18)	.01 (.10)	.02 (.21)	.02 (.25)	——	

*The figure given in brackets indicates the value of the observable maximum SCP